

deer or wild turkey for a period of five (5) years in Somervell, Bosque, Coryell, Hamilton, Erath, Hood and Johnson Counties, Texas; fixing a penalty; repealing all laws or parts of laws in conflict herewith in so far as they apply to such counties, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 102, Authorizing the Enrolling Clerk of the House to make certain corrections in House Bill No. 909.

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 100, Authorizing the Enrolling Clerk of the House to amend the caption of House Bill No. 517 to conform to the body of the bill.

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 101, Commending the President of the United States for his efforts to maintain World Peace.

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 96, Instructing the Speaker of the House and the Chief Clerk of the House to erase their

names from House Bill No. 426 and return said bill to the Senate.

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 95, Authorizing the Enrolling Clerk of the House to make certain corrections in House Bill No. 657.

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

### SENT TO THE GOVERNOR

April 18, 1939

House Bill No. 853.

House Bill No. 634.

House Bill No. 813.

House Concurrent Resolution No. 96.

House Concurrent Resolution No. 100.

House Concurrent Resolution No. 101.

### FIFTY-EIGHTH DAY

(Wednesday, April 19, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Brown of Cherokee
Allen	Brown
Allison	of Nacogdoches
Alsup	Bundy
Bailey	Burkett
Baker	Burney
of Fort Bend	Cauthorn
Baker of Grayson	Celaya
Blankenship	Chambers
Bell	Clark
Boethel	Cleveland
Bond	Cockrell
Boyd	Coleman
Boyer	Colquitt
Bradbury	Colson, Mrs.
Bradford	Cornett
Bray	Corry
Bridgers	Crossley
Broadfoot	Daniel

Davis of Jasper	McNamara
Davis of Upshur	Mohrmann
Dean	Monkhouse
Derden	Montgomery
Dickison	Morris
Dickson	Newell
Donaghey	Nicholson
Faulkner	Oliver
Felty	Pace
Ferguson	Petsch
Fielden	Pevehouse
Fuchs	Piner
Galbreath	Pope
Gilmer	Ragsdale
Goodman	Reader of Bexar
Gordon, Mrs.	Reader of Erath
Hale	Reaves
Hamilton	Reed
Hankamer	Rhodes
Hardeman	Riviere
Hardin	Roach
Harp	Roberts
Harper	Robinson
Harrell of Lamar	Russell
Harris	Schuenemann
Hartzog	Segrist
Heflin	Shell
Holland	Skiles
Howard	Smith of Frio
Howington	Smith of Hopkins
Hull	Smith
Hunt	of Matagorda
Isaacks	Spencer
Johnson of Ellis	Stinson
Johnson of Tarrant	Stoll
Kennedy	Talbert
Kern	Tarwater
Kerr	Taylor
Kersey	Tennant
Kinard	Thornberry
King	Thornton
Langdon	Turner
Lehman	Vale
Leonard	Vint
Leyendecker	Voigt
Little	Waggoner
Lock	Weldon
Loggins	Wells
London	Westbrook
Mays	White
McAlister	Wilson
McDaniel	Winfree
McDonald	Wood
McFarland	Worley
McMurry	Wright

Absent

Anderson Keith  
Dwyer

Absent—Excused

Dowell Harrell of Bastrop

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"For all Thy kind providences, our Heavenly Father, we praise Thee this morning. We would remember those of our numbers who are ill, and pray for their speedy restoration to health. Thou knowest all our needs, individually and collectively; and we pray that in Thy knowledge and of Thine unwasted power Thou wouldst lead us in our undertakings today. In Christ's name. Amen."

## LEAVE OF ABSENCE GRANTED

The following Member was granted leave of absence on account of illness:

Mr. Harrell of Bastrop for today, on motion of Mr. Broadfoot.

## MESSAGE FROM THE SENATE

Austin, Texas, April 18, 1939.  
Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

H. C. R. No. 104, Suspending Joint Rules of the House and Senate. (With amendments.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

## MESSAGE FROM THE SENATE

Austin, Texas, April 19, 1939.  
Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has refused to concur in House amendments to Senate Bill No. 36, and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate: Senators Roberts, Van Zandt, Martin, Shivers and Nelson.

The Senate has concurred in House amendments to Senate Bill No. 303, by the following vote: Yeas, 29; Nays, 0.

The Senate has adopted

Senate Concurrent Resolution No. 39, Recalling Senate Bill No. 69 from the Governor's office for further consideration.

Respectfully,

BOB BARKER,

Secretary of the Senate.

**MOTION TO PRINT HOUSE BILL  
NO. 94 ON MINORITY  
REPORT**

Mr. King moved that House Bill No. 94, reported adversely, with a minority favorable report, be printed.

(Mr. Leonard in the Chair.)

Question recurring on the motion by Mr. King, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—52

Allison	Harris
Baker	Howington
of Fort Bend	Hunt
Boethel	Isaacks
Boyer	Kern
Bradbury	Kersey
Bradford	King
Brown of Cherokee	Leonard
Brown	Lock
of Nacogdoches	Loggins
Burkett	London
Burney	Mohrmann
Cauthorn	Monkhouse
Chambers	Newell
Clark	Petsch
Cockrell	Pope
Coleman	Reader of Erath
Colson, Mrs.	Reaves
Cornett	Shell
Davis of Upshur	Skiles
Ferguson	Smith of Frio
Fielden	Smith of Hopkins
Galbreath	Spencer
Gilmer	Tarwater
Goodman	Weldon
Hardeman	Worley
Harp	Wright

Nays—72

Allen	Fuchs
Alsup	Gordon, Mrs.
Bailey	Hale
Baker of Grayson	Hamilton
Blankenship	Hankamer
Bond	Hardin
Boyd	Harper
Bray	Harrell of Lamar
Bridgers	Hartzog
Broadfoot	Heflin
Cleveland	Howard
Corry	Johnson of Ellis
Daniel	Kennedy
Davis of Jasper	Kerr
Dean	Kinard
Derden	Langdon
Dickison	Lehman
Dickson	Leyendecker
Donaghey	McAlister
Faulkner	McDaniel

McDonald	Smith
McNamara	of Matagorda
Morris	Stinson
Nicholson	Stoll
Oliver	Taylor
Pace	Tennant
Pevehouse	Thornberry
Piner	Thornton
Reader of Bexar	Turner
Reed	Vint
Rhodes	Voigt
Riviere	Waggoner
Roach	Wells
Roberts	Wilson
Robinson	Winfree
Russell	Wood
Segrist	

**Absent**

Anderson	Little
Bell	Mays
Bundy	McFarland
Celaya	McMurry
Colquitt	Montgomery
Crossley	Ragsdale
Dwyer	Schuenemann
Felty	Talbert
Holland	Vale
Hull	Westbrook
Johnson of Tarrant	White

**Absent—Excused**

Dowell	Keith
Harrell of Bastrop	

**REASONS FOR VOTE**

I voted to print on minority report because this bill would allow an increase in the load limit of perishable farm products.

**SPENCER.**

I moved and voted to print House Bill No. 94 which provides for a load limit of 8,000 pounds on a four wheel vehicle and a load limit of 12,000 pounds on a six wheel vehicle where said vehicle has brakes on all wheels, because as stated and explained to the House, I wanted to submit for their consideration the following amendment: (Quote)

"Amend House Bill No. 94, by striking out all of Section 1, and inserting in lieu thereof the following:

"Section 1. That Section 5 of Chapter 282, Acts of the Forty-second Legislature, Regular Session, 1931, page 507 of the Penal Code of Texas be amended by adding a new Section to be known as Section 5-c, to read as follows:

"Sec. 5-c. No commercial motor vehicle, truck-tractor, trailer, or semi-trailer shall be operated on the pub-

lic highway outside of the limits of an incorporated city or town with load exceeding eight thousand (8,000) pounds on any such vehicle or train or combination of vehicles, provided, however, that upon a combination consisting of truck-tractor and semi-trailer, where the truck-tractor is equipped with four wheel brakes and the semi-trailer has brakes on the rear wheels adequate to control the movement of, and to stop and hold such vehicle, including two separate means of applying the brakes, it shall be lawful to transport a load not in excess of 14,000 pounds. If these two separate means of applying the brakes are connected in any way they shall be so constructed that failure of any one part of the operating mechanism shall not leave any vehicle without brakes adequate to stop and to hold such vehicle.

Every combination of motor vehicles shall be equipped with brakes upon one or more of such motor vehicles, adequate to stop such combination of motor vehicles within the distances specified hereinafter.

Every motor vehicle or combination of motor vehicles, according to its type, shall be capable at all times and under all conditions of loading, of stopping on a dry, smooth, level road free from loose material, upon application of the service (foot) brake, within the distances specified below, or shall be capable of deceleration at a sustained rate corresponding to these distances:

Vehicles or combinations of vehicles having brakes on all wheels:

Feet to stop from 20 miles per hour—35.

\*Deceleration in feet per second per second—14.

(\*Equivalence with stopping distances listed only to the nearest half foot.)

Provided further that the provisions hereinabove set out shall be applicable only to those vehicles, truck-tractors, trailers or semi-trailers transporting perishable farm products, and/or livestock." (End quote.)"

The brake requirements in the above amendment are recommended by the Interstate Commerce Commission, Bureau of Motor Carriers.

Perhaps I am a bit selfish in asking that the farmers of Texas and the stockmen of Texas alone be allowed

to enjoy the benefits of an increase in the truck load limit. It occurs to me, however, that since the efforts to secure a general and reasonable increase in the truck load limit have failed that this group of people who face serious economic problems should be allowed the benefit of any legislation which will tend to place them on a better economic footing. Any reasonable legislation for the benefit of them will tend to be for the benefit of our entire citizenship.

Much has been said about the South being greatly handicapped by tariffs and high freight rates which protect the industrial North and discriminate against the agricultural South. If the Interstate Commerce Commission can not see fit to reduce the freight rates on goods which are shipped North then the people of the Southwest must rely upon some other means of transporting their goods other than by rail. There are approximately 7,500 wholesale distributors in Texas, doing approximately \$1,530,000,000.00 net sales with a payroll of approximately \$58,000,000.00, who could, it must be admitted, obtain cheaper freight rates if the load limit were increased which would make the price of food and other necessities of life lower for the 6,000,000 consumers of Texas. During 1938 there were approximately 100,000 car loads of perishable farm products and livestock shipped by rail out of Texas. Assuming that we could have shipped those products out at as cheap a rate as goods from the North are shipped into Texas, then families of Texas would have received a saving of Millions of Dollars in freight rates alone. It does not matter much to me who receives this extra money as long as it goes to the small income family of Texas. Although a report prepared for the President of the United States on the conditions of the South states that half of the people are under fed we have each year going to waste in South Texas, East Texas, and in North Texas thousands of tons of fruits and vegetables which can not be profitably shipped under the present 7,000-pound truck load limit on the one hand and the discriminatory freight rates on the other hand.

KING,  
BURKETT,  
CORNETT.

GRANTING PERMISSION TO SUE  
THE STATE

The Chair laid before the House, for consideration at this time, House Concurrent Resolution No. 89, To grant Tilford Moore permission to sue the State.

The resolution having heretofore been read second time, and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was then adopted by the following vote:

## Yeas—112

Allison	Hankamer
Alsup	Hardin
Bailey	Harp
Baker	Harper
of Fort Bend	Harrell of Lamar
Baker of Grayson	Harris
Bell	Heflin
Blankenship	Howard
Boethel	Howington
Bond	Hunt
Boyd	Isaacks
Boyer	Johnson of Ellis
Bradbury	Kennedy
Bradford	Kern
Bray	Kerr
Broadfoot	King
Brown of Cherokee	Lehman
Brown	Leyendecker
of Nacogdoches	Little
Bundy	Lock
Burkett	Loggins
Cauthorn	McAlister
Chambers	McDaniel
Clark	McDonald
Cleveland	McFarland
Cockrell	McNamara
Coleman	Mohrmann
Colquitt	Monkhouse
Colson, Mrs.	Montgomery
Cornett	Newell
Corry	Nicholson
Davis of Jasper	Oliver
Davis of Upshur	Pace
Dean	Pevehouse
Derden	Piner
Dickison	Reader of Erath
Dickson	Reaves
Faulkner	Reed
Ferguson	Rhodes
Fuchs	Riviere
Galbreath	Roach
Gilmer	Roberts
Goodman	Robinson
Gordon, Mrs.	Russell
Hale	Segrist

Shell	Vint
Skiles	Voigt
Smith of Frio	Waggoner
Smith of Hopkins	Weldon
Smith	Wells
of Matagorda	Westbrook
Spencer	White
Stinson	Wilson
Tarwater	Winfree
Taylor	Wood
Thornberry	Worley
Thornton	Wright
Turner	

## Nays—4

Allen	Stoll
Burney	Tennant

## Absent

Anderson	Kersey
Bridgers	Kinard
Celaya	Langdon
Crossley	London
Daniel	Mays
Donaghey	McMurry
Dwyer	Morris
Felty	Petsch
Fielden	Pope
Hamilton	Ragsdale
Hardeman	Reader of Bexar
Hartzog	Schuenemann
Holland	Talbert
Hull	Vale
Johnson of Tarrant	

## Absent—Excused

Dowell	Keith
Harrell of Bastrop	

## HOUSE CONCURRENT RESOLUTION NO. 104 WITH SENATE AMENDMENTS

Mr. Thornton called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

House Concurrent Resolution No. 104, Suspending Joint Rules of the House and Senate.

On motion of Mr. Thornton, the House concurred in the Senate amendments by the following vote:

## Yeas—120

Allen	Blankenship
Allison	Boethel
Alsup	Boyd
Bailey	Boyer
Baker	Bradbury
of Fort Bend	Bradford
Baker of Grayson	Bray
Bell	Broadfoot

Brown of Cherokee	Little
Brown	Lock
of Nacogdoches	Loggins
Bundy	London
Burkett	McAlister
Burney	McDaniel
Cauthorn	McDonald
Chambers	McMurry
Clark	McNamara
Cleveland	Mohrmann
Cockrell	Monkhouse
Coleman	Montgomery
Colquitt	Morris
Colson, Mrs.	Newell
Cornett	Nicholson
Corry	Pace
Crossley	Pevehouse
Daniel	Pope
Davis of Jasper	Reader of Erath
Davis of Upshur	Reed
Dean	Rhodes
Derden	Riviere
Dickison	Roach
Dickson	Roberts
Donaghey	Robinson
Faulkner	Russell
Ferguson	Schuenemann
Fuchs	Segrist
Galbreath	Shell
Gilmer	Skiles
Goodman	Smith of Frio
Gordon, Mrs.	Smith of Hopkins
Hale	Smith
Hamilton	of Matagorda
Hankamer	Spencer
Hardin	Stoll
Harp	Taylor
Harper	Tennant
Harrell of Lamar	Thornton
Harris	Turner
Heflin	Vale
Howard	Vint
Howington	Voigt
Hull	Waggoner
Hunt	Weldon
Johnson of Ellis	Wells
Kennedy	Westbrook
Kern	White
Kerr	Wilson
Kersey	Winfree
King	Wood
Langdon	Worley
Lehman	Wright
Leyendecker	
Absent	
Anderson	Holland
Bond	Isaacks
Bridgers	Johnson of Tarrant
Celaya	Kinard
Dwyer	Mays
Felty	McFarland
Fielden	Oliver
Hardeman	Petsch
Hartzog	Piner

Ragsdale	Talbert
Reader of Bexar	Tarwater
Reaves	Thornberry
Stinson	

Absent—Excused

Dowell	Keith
Harrell of Eastrop	

### GRANTING PERMISSION TO SUE THE STATE

The Chair laid before the House, for consideration at this time, House Concurrent Resolution No. 90, To grant E. L. Martin permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was then adopted by the following vote:

Yeas—109

Allison	Goodman
Bailey	Gordon, Mrs.
Baker	Hale
of Fort Bend	Hamilton
Baker of Grayson	Hankamer
Bell	Hardin
Boethel	Harp
Bond	Harper
Boyd	Harrell of Lamar
Boyer	Harris
Bradbury	Heflin
Bradford	Howard
Bray	Howington
Broadfoot	Hull
Brown of Cherokee	Hunt
Bundy	Isaacks
Burkett	Kennedy
Cauthorn	Kern
Chambers	Kerr
Clark	Kersey
Cleveland	King
Cockrell	Langdon
Coleman	Lehman
Colquitt	Leyendecker
Cornett	Little
Corry	Lock
Crossley	Loggins
Daniel	McAlister
Davis of Upshur	McDaniel
Dickison	McDonald
Dickson	McFarland
Donaghey	McMurry
Faulkner	McNamara
Ferguson	Mohrmann
Fuchs	Monkhouse
Galbreath	Montgomery
Gilmer	Morris

Nicholson	Smith
Pace	of Matagorda
Pevehouse	Spencer
Piner	Tarwater
Pope	Taylor
Reader of Erath	Thornton
Reed	Turner
Rhodes	Vale
Riviere	Voigt
Roach	Waggoner
Roberts	Weldon
Robinson	Wells
Russell	White
Schuenemann	Wilson
Segrist	Winfree
Shell	Wood
Skiles	Worley
Smith of Frio	Wright
Smith of Hopkins	

## Nays—6

Allen	Stoll
Burney	Tennant
Colson, Mrs.	Vint

## Present—Not Voting

Brown	Westbrook
of Nacogdoches	

## Absent

Alsup	Johnson of Ellis
Anderson	Johnson of Tarrant
Blankenship	Kinard
Bridgers	London
Celaya	Mays
Davis of Jasper	Newell
Dean	Oliver
Derden	Petsch
Dwyer	Ragsdale
Felty	Reader of Bexar
Fielden	Reaves
Hardeman	Stinson
Hartzog	Talbert
Holland	Thornberry

## Absent—Excused

Dowell	Keith
Harrell of Bastrop	

## NAMING OFFICIAL REPRESENTATIVE OF THE STATE

Mr. Tennant offered the following resolution:

H. C. R. No. 103, Naming Miss Jane Neal as official representative of the State at the National Lions Club Convention.

Whereas, The Gladewater High School Band, through competition, has been selected as the outstanding High School Band of the State of Texas,

and will represent the Lone Star State at the National Lions Club Convention to be held at Pittsburg, Pennsylvania, next July; and

Whereas, It is the wish of this Forty-sixth Texas Legislature to extend greetings to the Governor of the State of Pennsylvania and to the Lions Club of America; and

Whereas, Miss Jane Neal, an outstanding member of the Gladewater High School Band because of her personality, ability, and achievements in the service of her school, has shown herself to be a proper person to convey the felicitations of this body to the Lions Clubs of America and to the Governor of the State of Pennsylvania; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Texas Legislature do so extend these greetings and hereby designate Miss Jane Neal of the Gladewater High School Band to convey them.

TENNANT,  
BRAY.

The resolution was read second time.

Signed—Morse, Speaker; Allen, Al-  
lison, Alsup, Anderson, Bailey, Baker  
of Fort Bend, Baker of Grayson, Bell,  
Blankenship, Boethel, Bond, Boyd,  
Boyer, Bradbury, Bradford, Bridgers,  
Broadfoot, Brown of Cherokee, Brown  
of Nacogdoches, Bundy, Burkett, Bur-  
ney, Cauthorn, Celaya, Chambers,  
Clark, Cleveland, Cockrell, Coleman,  
Colquitt, Colson, Mrs., Cornett, Corry,  
Crossley, Daniel, Davis of Jasper,  
Davis of Upshur, Dean, Derden, Dick-  
ison, Dickson, Donaghey, Dowell,  
Dwyer, Faulkner, Felty, Ferguson,  
Fielden, Fuchs, Galbreath, Gilmer,  
Goodman, Gordon, Mrs., Hale, Ham-  
ilton, Hankamer, Hardeman, Hardin,  
Harp, Harper, Harrell of Bastrop,  
Harrell of Lamar, Harris, Hartzog,  
Heflin, Holland, Howard, Howington,  
Hull, Hunt, Isaacks, Johnson of Ellis,  
Johnson of Tarrant, Keith, Kennedy,  
Kern, Kerr, Kersey, Kinard, King,  
Langdon, Lehman, Leonard, Leyen-  
decker, Little, Lock, Loggins, London,  
Mays, McAlister, McDaniel, McDon-  
ald, McFarland, McMurry, McNamara,  
Mohrmann, Monkhouse, Montgom-  
ery, Morris, Newell, Nicholson, Oliver,  
Pace, Petsch, Pevehouse, Piner, Pope,  
Ragsdale, Reader of Bexar, Reader of  
Erath, Reaves, Reed, Rhodes, Riviere,  
Roach, Roberts, Robinson, Russell,  
Schuenemann, Segrist, Shell, Skiles,

Smith of Frio, Smith of Hopkins, Smith of Matagorda, Spencer, Stinson, Stoll, Talbert, Tarwater, Taylor, Thornberry, Thornton, Turner, Vale, Vint, Voigt, Waggoner, Weldon, Wells, Westbrook, White, Wilson, Winfree, Wood, Worley and Wright.

On motion of Mr. Ferguson, the names of all the Members of the House were added to the resolution, as signers thereof.

The resolution was unanimously adopted.

#### TO GRANT PERMISSION TO SUE THE STATE

Mr. Colquitt offered the following resolution:

H. C. R. No. 105, To grant E. L. Martin permission to sue the State.

Whereas, On or about April 10, 1934, the State Highway Commission awarded a certain contract known as Public Works Project NRH-98D to E. L. Martin of Dallas County, Texas; and

Whereas, This contract set out in full the specifications the contractor was to complete under the award; and

Whereas, Reasonable performance was prevented by the State Highway Department and its agents; and

Whereas, Material damage resulted to the contractor as a result of interference and delay in the carrying on of the project after it had been started; and

Whereas, The State Highway Commission entered into an agreement that they would arbitrate the said damage and agreed to have an arbitration committee of three members, one to be appointed by the said State Highway Department, the second by the said E. L. Martin of Dallas County, Texas, and the third to be selected jointly by these two; and

Whereas, The arbitration committee made a specific inquiry into the facts and recommended an award be made to the contractor; now, therefore, be it

Resolved, That in justice to the said E. L. Martin of Dallas County, Texas, that the said E. L. Martin be permitted to sue the State and the said State Highway Commission and any judgment that might be rendered shall be paid out of the State Highway Commission Fund, and that the suit shall be filed in the county of residence of the said E. L. Martin.

The resolution was read second time, and was referred, by the Chair, to the Committee on State Affairs.

#### TO GRANT PERMISSION TO SUE THE STATE

The Chair laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 13, To grant Edwin Marckwardt permission to sue the State.

Whereas, The State Highway Department of Texas did build, construct and supervise the construction of State Highway No. 3 in Bexar County, Texas; and

Whereas, It is alleged said highway was constructed in such a manner as to cause the natural flow of the waters from rains and other precipitation to be obstructed thereby and to be impounded on the lands of Edwin Marckwardt, thereby damaging the lands, crops and personal property on said lands; and

Whereas, It is alleged that the said Edwin Marckwardt has never been compensated by the State of Texas or the State Highway Department for the alleged damages to or destruction of his lands, and desires to establish his claim against the State of Texas and the State Highway Department for his damages; now, therefore, be it

Resolved by the Senate of Texas and the House of Representatives concurring, That the said Edwin Marckwardt be, and he is hereby granted permission to bring suit against the State of Texas and the State Highway Commission in any court of competent jurisdiction in Bexar County, Texas, for the purpose of determining the compensation or damages, if any, the said Edwin Marckwardt is entitled to recover by reason of the premises above set out, and the liability if any of the State of Texas and the State Highway Commission therefor, and that any cause of action which the above named Edwin Marckwardt has shall not be barred by limitation until two years from and after the date upon which this resolution becomes effective; and be it further

Resolved, That in the event judgment is recovered against the State of Texas and/or the State Highway Commission, the State and said Commission may appeal from said judgment, as provided by law, without

executing any bond, and, upon a final judgment being recovered against said defendants, or either of them, the same shall be paid out of the State Highway Funds; and be it further

Resolved, That permission be granted to the party named above, to bring suit against the State of Texas and the State Highway Commission.

The resolution having heretofore been referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was then adopted by the following vote:

## Yeas—118

Allison	Hankamer
Bailey	Hardeman
Baker	Harp
of Fort Bend	Harper
Baker of Grayson	Harrell of Lamar
Bell	Harris
Blankenship	Heflin
Boethel	Howard
Boyd	Howington
Boyer	Hunt
Bradbury	Isaacks
Bradford	Johnson of Ellis
Bray	Kennedy
Bridgers	Kern
Brown of Cherokee	Kerr
Bundy	Kersey
Burkett	King
Cauthorn	Lehman
Chambers	Leyendecker
Clark	Little
Cleveland	Loggins
Cockrell	London
Colquitt	McAlister
Colson, Mrs.	McDaniel
Cornett	McDonald
Corry	McFarland
Crossley	McMurry
Davis of Jasper	McNamara
Davis of Upshur	Mohrmann
Dean	Monkhouse
Derden	Montgomery
Dickison	Morris
Dickson	Newell
Donaghey	Nicholson
Faulkner	Oliver
Ferguson	Pace
Fielden	Petsch
Fuchs	Pevehouse
Galbreath	Piner
Gilmer	Pope
Goodman	Ragsdale
Gordon, Mrs.	Reader of Bexar
Hale	Reader of Erath
Hamilton	Reed

Rhodes	Tennant
Riviere	Thornberry
Roach	Thornton
Roberts	Turner
Robinson	Vale
Russell	Vint
Segrist	Voigt
Shell	Waggoner
Skiles	Weldon
Smith of Frio	Wells
Smith of Hopkins	White
Smith	Wilson
of Matagorda	Winfree
Spencer	Wood
Talbert	Worley
Taylor	Wright

## Nays—3

Allen	Stoll
Burney	

## Present—Not Voting

Brown	Westbrook
of Nacogdoches	

## Absent

Alsup	Holland
Anderson	Hull
Bond	Johnson of Tarrant
Broadfoot	Kinard
Celaya	Langdon
Coleman	Lock
Daniel	Mays
Dwyer	Reaves
Felty	Schuenemann
Hardin	Stinson
Hartzog	Tarwater

## Absent—Excused

Dowell	Keith
Harrell of Bastrop	

## SENATE BILL NO. 9 ON PASSAGE TO THIRD READING

The Chair laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 9, A bill to be entitled "An Act providing that there shall hereafter be paid out of the revenue of this State, on the last day of each month to each actual bona fide citizen of this State over the age of sixty five years the sum of Fifteen (\$15.00) Dollars per month as old age assistance, providing that no habitual criminal, and no habitual drunkard, while such habitual drunkard, and no inmate of any State supported institution, while such inmate, shall be eligible for such old age assistance; providing that the length of time of actual residence

in Texas shall never be less than five years during the nine years immediately preceding the application for old age assistance and continuously for one year immediately preceding such application. Providing that the officers charged with the administration of this Act shall receive from the Government of the United States financial aid for old age assistance; and that they shall pay out such old age assistance received from the Government of the United States to those persons in need as provided herein and all such funds shall be kept and disbursed separately. Providing that the County Commissioners' Court of the respective counties and the State Comptroller shall administer this Act. Providing the method and procedure by which applicants may qualify for and obtain such old age assistance; defining the duties of the Commissioners' Court, and of the County Clerk and the Attorney General and the Comptroller in connection with the administration of this Act, giving the right of appeal; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill having heretofore been read second time with amendment by Mr. Lock pending.

Mr. Alsup moved the previous question on the pending amendment, and the passage of Senate Bill No. 9 to third reading, and the main question was ordered.

(Speaker in the Chair.)

By unanimous consent of the House, Mr. Davis of Jasper offered the following amendment to the amendment by Mr. Lock:

Amend substitute to Senate Bill No. 9, by striking out Section 12 and substituting a new Section to read, as follows:

"Sec. 12. In addition to the duties now imposed by law, the County Commissioners are hereby charged with the duty of administering this Act in their respective counties, subject to and under the directions of the State Board. The County Commissioners' Courts shall be compensated in addition to the compensation they receive by law, an amount not to exceed three per cent (3%) of the total amount paid those on the pension rolls in their respective counties, to be paid out of the funds allocated to the State Board, for the administration of the pension in the State.

A. The State Board shall provide for such method of administering by the Commissioners' Courts (other than those relating to selection and tenure of office and compensation of personnel) as are found by the United States Social Security Board to be necessary for the efficient operation of the plan of old age assistance herein established.

B. The State Board shall make rules and regulations necessary for carrying out of the provisions of this Act to the end that old age pensions may be administered uniformly throughout the State, having regard for the varying cost of living in different parts of the State, and that the spirit and purpose of this Act may be complied with."

Mr. Alsup raised a point of order, on consideration of the amendment by Mr. Davis of Jasper, at this time, on the ground that a substitute amendment cannot be amended.

The Speaker sustained the point of order.

Question recurring on the amendment by Mr. Lock, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—54

Allen	Johnson of Ellis
Allison	Kennedy
Bailey	Kerr
Bradbury	Langdon
Broadfoot	Lehman
Brown of Cherokee	Leyendecker
Brown of Nacogdoches	Lock
Burney	McMurry
Cockrell	Oliver
Colson, Mrs.	Pace
Corry	Pevehouse
Davis of Jasper	Pope
Dean	Reed
Derden	Rhodes
Dickson	Robinson
Donaghey	Russell
Faulkner	Smith of Frio
Ferguson	Smith of Hopkins
Fielden	Spencer
Galbreath	Voigt
Gilmer	Weldon
Hale	Westbrook
Hardin	White
Harp	Wilson
Harrell of Lamar	Winfree
Holland	Worley
Howington	Wright

## Nays—73

Alsup	Mays
Baker	McAlister
of Fort Bend	McDaniel
Baker of Grayson	McDonald
Bell	McFarland
Boethel	McNamara
Boyd	Mohrmann
Bradford	Monkhouse
Bray	Montgomery
Bridgers	Morris
Bundy	Newell
Burkett	Nicholson
Cauthorn	Petsch
Chambers	Piner
Clark	Reader of Bexar
Cleveland	Reader of Erath
Coleman	Reaves
Colquitt	Riviere
Cornett	Roach
Crossley	Roberts
Davis of Upshur	Segrist
Dickison	Skiles
Felty	Smith
Fuchs	of Matagorda
Goodman	Stinson
Gordon, Mrs.	Stoll
Hamilton	Tarwater
Hankamer	Taylor
Hardeman	Tennant
Harper	Thornberry
Harris	Thornton
Heflin	Turner
Howard	Vale
Hunt	Vint
Isaacks	Waggoner
Johnson of Tarrant	Wells
Kern	Wood
Kinard	

## Absent

Anderson	King
Blankenship	Leonard
Bond	Little
Boyer	Loggins
Celaya	London
Daniel	Ragsdale
Dwyer	Schuenemann
Hartzog	Shell
Hull	Talbert
Kersey	

## Absent—Excused

Dowell	Keith
Harrell of Bastrop	

## REASON FOR VOTE

I vote "nay" on the Lock amendment to Senate Bill No. 9 because it would place around 100,000 more aged on the pension rolls with no more money to meet this increased demand. This would mean that present grants

to needy individuals would be cut about half, placing undue hardships upon the more needy aged who now have inadequate grants for their actual needs.

## CORNETT.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and with the body of the bill.

Senate Bill No. 9 was then passed to third reading.

## SENATE BILL NO. 9 ON THIRD READING

Mr. Hardin moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 9 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—121

Allen	Faulkner
Allison	Ferguson
Alsup	Fielden
Anderson	Fuchs
Bailey	Galbreath
Baker	Gilmer
of Fort Bend	Goodman
Baker of Grayson	Hale
Bell	Hardeman
Blankenship	Hardin
Boethel	Harp
Bond	Harper
Boyd	Harrell of Lamar
Boyer	Harris
Bradbury	Heflin
Bradford	Holland
Bray	Howington
Broadfoot	Hull
Brown of Cherokee	Hunt
Brown	Johnson of Tarrant
of Nacogdoches	Kennedy
Bundy	Kern
Burkett	Kerr
Burney	Kinard
Chambers	Langdon
Clark	Lehman
Cockrell	Leonard
Coleman	Leyendecker
Colquitt	Lock
Colson, Mrs.	Loggins
Cornett	London
Corry	McAlister
Daniel	McDaniel
Davis of Jasper	McDonald
Derden	McFarland
Dickison	McMurry
Dickson	McNamara
Donaghey	Mohrmann

Monkhouse	Spencer
Montgomery	Stinson
Morris	Stoll
Newell	Talbert
Nicholson	Tarwater
Pace	Taylor
Petsch	Tennant
Pevehouse	Thornberry
Piner	Thornton
Reader of Bexar	Turner
Reader of Erath	Vale
Reaves	Vint
Reed	Voigt
Rhodes	Waggoner
Riviere	Weldon
Roach	Wells
Roberts	Westbrook
Robinson	White
Russell	Wilson
Schuenemann	Winfree
Segrist	Wood
Skiles	Worley
Smith of Hopkins	Wright
Smith	
of Matagorda	

## Nays—5

Bridgers	Gordon, Mrs.
Davis of Upshur	Smith of Frio
Felty	

## Absent

Cauthorn	Isaacks
Celaya	Johnson of Ellis
Cleveland	Kersey
Crossley	King
Dean	Little
Dwyer	Mays
Hamilton	Oliver
Hankamer	Pope
Hartzog	Ragsdale
Howard	Shell

## Absent—Excused

Dowell	Keith
Harrell of Bastrop	

The Speaker then laid Senate Bill No. 9 before the House on third reading and final passage.

The bill was read third time.

Mr. Alsup moved the previous question on the final passage of Senate Bill No. 9, and the main question was ordered.

Senate Bill No. 9 was then passed by the following vote:

## Yeas—125

Allen	Bailey
Allison	Baker
Alsup	of Fort Bend
Anderson	Baker of Grayson

Bell	Lehman
Blankenship	Leonard
Boethel	Leyendecker
Bond	Little
Boyd	Loggins
Boyer	London
Bradbury	Mays
Bradford	McAlister
Bray	McDaniel
Bridgers	McDonald
Broadfoot	McFarland
Brown of Cherokee	McMurry
Brown	McNamara
of Nacogdoches	Mohrmann
Bundy	Monkhouse
Burkett	Montgomery
Burney	Morris
Chambers	Newell
Clark	Nicholson
Cleveland	Oliver
Cockrell	Pace
Coleman	Petsch
Colquitt	Piner
Cornett	Reader of Bexar
Corry	Reader of Erath
Crossley	Reaves
Daniel	Reed
Davis of Jasper	Rhodes
Dean	Riviere
Derden	Roach
Dickison	Roberts
Dickson	Robinson
Donaghey	Russell
Felty	Schuenemann
Ferguson	Segrist
Fielden	Skiles
Fuchs	Smith of Frio
Gilmer	Smith of Hopkins
Goodman	Smith
Hale	of Matagorda
Hamilton	Spencer
Hankamer	Stinson
Hardeman	Stoll
Hardin	Talbert
Harp	Taylor
Harper	Tennant
Harrell of Lamar	Thornberry
Harris	Thornton
Heflin	Turner
Holland	Vale
Howington	Voigt
Hunt	Waggoner
Isaacks	Weldon
Johnson of Tarrant	Wells
Kennedy	Westbrook
Kern	White
Kerr	Wilson
Kersey	Wood
Kinard	Worley
Langdon	Wright

## Nays—10

Cauthorn	Faulkner
Colson, Mrs.	Galbreath
Davis of Upshur	Gordon, Mrs.

Lock  
Pevehouse

Pope  
Vint

Absent

Celaya  
Dwyer  
Hartzog  
Howard  
Hull  
Johnson of Ellis

King  
Ragsdale  
Shell  
Tarwater  
Winfree

Absent—Excused

Dowell  
Harrell of Bastrop

Keith

# PRESENTATION TO HON. AND MRS. BAILEY B. RAGSDALE

Mr. Kersey offered the following resolution:

H. S. R. No. 237, Presentation to Hon. and Mrs. Bailey B. Ragsdale.

Whereas, It has been held for many years that "In the Spring a young man's fancy lightly turns to thoughts of love;" and

Whereas, There is one among us who is a living exhibition of the truth of this saying, the Hon. Bailey Ragsdale, who has taken unto himself a charming and beautiful bride, the former Miss Vivian Cline; now, therefore, be it

Resolved by the House of Representatives of the Forty-sixth Legislature, That we extend to our fellow Member, the Hon. Bailey Ragsdale and his lovely bride, the heartiest congratulations and good wishes for a long, happy and prosperous married life, and that their life together be a perpetual honeymoon, and that they be blessed with all good things; and be it further

Resolved, That the Chief Clerk of the House of Representatives be directed to forward a copy of this resolution to Mr. and Mrs. Ragsdale.

KERSEY,  
FAULKNER,  
CROSSLEY,  
HUNT,  
RIVIERE,  
HANKAMER,  
MONTGOMERY,  
MORRIS,  
PETSCH,  
VOIGT,  
COLSON, MRS.,  
COLEMAN,  
CLEVELAND,  
HARTZOG,  
RUSSELL.

The resolution was read second time, and was unanimously adopted.

Speaker Morse presented Mr. Bradbury who, on behalf of the Members of the House, presented Hon. and Mrs. Bailey B. Ragsdale with a set of silver.

Mrs. Ragsdale was presented, and addressed the House, expressing appreciation for the gift.

# RECALLING SENATE BILL NO. 69 FROM THE GOVERNOR

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 39, Recalling Senate Bill No. 69 from the Governor.

Whereas, Senate Bill No. 69 has heretofore been sent to the Governor's office; and

Whereas, There are certain typographical errors in said bill; and

Whereas, There are certain objections to the form of said bill in that same was amended by a resolution heretofore duly passed by the Legislature; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Governor of Texas is hereby requested to return said bill to the House of Representatives for further consideration, and that the President of the Senate and the Speaker of the House as well as the Enrolling Clerk of the Senate, are hereby authorized to erase their names and withdraw her certificate therefrom.

The resolution was read second time, and was adopted.

# REQUEST OF SENATE GRANTED

On motion of Mr. Leonard, the House granted the request of the Senate, for the appointment of a Conference Committee on Senate Bill No. 221.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on Senate Bill No. 221: Messrs. Hardeman, Cauthorn, Pope, Celaya and Leyendecker.

# SPECIAL ORDER SET

Mr. Bond moved that House Bill No. 153 be set for special order at 10:30 o'clock a. m., next Friday.

The motion prevailed by the following vote:

Yeas—123

Allen	Kern
Allison	Kerr
Alsup	Kersey
Bailey	Langdon
Baker	Lehman
of Fort Bend	Leonard
Baker of Grayson	Leyendecker
Bell	Little
Blankenship	Lock
Boethel	Loggins
Bond	London
Boyd	Mays
Bradbury	McAlister
Bradford	McDonald
Bray	McFarland
Bridgers	McMurry
Broadfoot	McNamara
Brown of Cherokee	Mohrmann
Brown	Monkhouse
of Nacogdoches	Montgomery
Bundy	Morris
Burkett	Newell
Burney	Nicholson
Cauthorn	Oliver
Chambers	Pace
Clark	Petsch
Cleveland	Pevehouse
Cockrell	Piner
Coleman	Pope
Colquitt	Reader of Erath
Colson, Mrs.	Reaves
Cornett	Reed
Crossley	Rhodes
Daniel	Riviere
Davis of Jasper	Roach
Davis of Upshur	Roberts
Derden	Robinson
Dickson	Russell
Dickson	Schuenemann
Donaghey	Segrist
Faulkner	Shell
Felty	Skiles
Ferguson	Smith of Frio
Fielden	Smith of Hopkins
Fuchs	Smith
Galbreath	of Matagorda
Gordon, Mrs.	Spencer
Hale	Stoll
Hamilton	Talbert
Hankamer	Tarwater
Hardeman	Taylor
Hardin	Tennant
Harp	Thornton
Harper	Turner
Harris	Vint
Heflin	Waggoner
Howington	Weldon
Hunt	Wells
Isaacks	Westbrook
Johnson of Tarrant	White
Kennedy	Wilson

Winfree  
Wood

Worley  
Wright

Nays—1

Holland

Absent

Anderson	Hull
Boyer	Johnson of Ellis
Celaya	Kinard
Corry	King
Dean	McDaniel
Dwyer	Ragsdale
Gilmer	Reader of Bexar
Goodman	Stinson
Harrell of Lamar	Thornberry
Hartzog	Vale
Howard	Voigt

Absent—Excused

Dowell Keith  
Harrell of Bastrop

# SENATE BILL NO. 33 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as postponed business, on its passage to third reading,

S. B. No. 33, A bill to be entitled "An Act to require all purchasers of trees and timber, or either of them, in the form of logs, staves, shingles, pulp wood, or any of them to obtain a bill of sale therefor from the seller, providing what shall be contained in such bill of sale; providing penalties for violation of this Act, and declaring an emergency."

The bill having heretofore been read second time, with committee amendment by Mr. Wilson, substitute amendment by Mr. Fielden for the committee amendment, and motion by Mr. Boyd to table the substitute amendment by Mr. Fielden, pending.

Mr. Fielden withdrew the substitute amendment.

Mr. Gilmer then offered the following substitute for the committee amendment by Mr. Wilson:

Amend Section 1 of Senate Bill No. 33, line 2 of page 2, of the printed bill, by changing the period after the word "use", to a comma, and adding the following: "nor to posts nor staves or cross ties, whether intended to be used for fencing purposes or otherwise".

GILMER,  
ALSUP,  
FIELDEN.

The substitute amendment was adopted.

The committee amendment, as substituted, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 33 was then passed to third reading.

### SENATE BILL NO. 33 ON THIRD READING

Mr. Davis of Jasper moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 33 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—124

Allison	Ferguson
Alsup	Fielden
Anderson	Fuchs
Bailey	Galbreath
Baker	Gilmer
of Fort Bend	Goodman
Baker of Grayson	Gordon, Mrs.
Blankenship	Hale
Boethel	Hamilton
Boyer	Hankamer
Bradbury	Hardeman
Bradford	Hardin
Bridgers	Harp
Broadfoot	Harper
Brown of Cherokee	Harris
Brown	Heflin
of Nacogdoches	Holland
Bundy	Howard
Burkett	Howington
Burney	Hunt
Cauthorn	Isaacks
Celaya	Johnson of Tarrant
Chambers	Kennedy
Clark	Kern
Cleveland	Kerr
Cockrell	Kinard
Coleman	Langdon
Colquitt	Lehman
Colson, Mrs.	Leonard
Cornett	Leyendecker
Corry	Little
Crossley	Lock
Daniel	Loggins
Davis of Jasper	London
Derden	McAlister
Dickison	McFarland
Dickson	McMurry
Donaghey	McNamara
Faulkner	Monkhouse
Felty	Montgomery

Morris	Smith
Nicholson	of Matagorda
Oliver	Spencer
Pace	Stinson
Petsch	Stoll
Pevehouse	Talbert
Piner	Tarwater
Pope	Taylor
Reader of Erath	Tennant
Reaves	Thornberry
Reed	Thornton
Rhodes	Turner
Riviere	Vale
Roach	Vint
Roberts	Waggoner
Robinson	Weldon
Russell	Wells
Schuenemann	Westbrook
Segrist	White
Shell	Wilson
Skiles	Winfree
Smith of Frio	Wood
Smith of Hopkins	Worley
	Wright

Nays—6

Allen	Davis of Upshur
Boyd	Kersey
Bray	Mohrmann

Absent

Bell	King
Bond	Mays
Dean	McDaniel
Dwyer	McDonald
Harrell of Lamar	Newell
Hartzog	Ragsdale
Hull	Reader of Bexar
Johnson of Ellis	Voigt

Absent—Excused

Dowell	Keith
Harrell of Bastrop	

The Speaker then laid Senate Bill No. 33 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118

Allison	Bradbury
Alsup	Bradford
Anderson	Bridgers
Bailey	Broadfoot
Baker	Brown of Cherokee
of Fort Bend	Brown
Baker of Grayson	of Nacogdoches
Bell	Bundy
Blankenship	Burkett
Boethel	Burney
Boyd	Cauthorn
Boyer	Celaya

Chambers	McFarland
Clark	McMurry
Cleveland	McNamara
Cockrell	Mohrmann
Coleman	Monkhouse
Colquitt	Montgomery
Colson, Mrs.	Morris
Cornett	Nicholson
Corry	Oliver
Crossley	Petsch
Daniel	Pevehouse
Davis of Jasper	Piner
Derden	Reader of Erath
Dickison	Reaves
Dickson	Reed
Faulkner	Rhodes
Felty	Riviere
Ferguson	Roach
Fuchs	Roberts
Galbreath	Robinson
Gilmer	Russell
Goodman	Segrist
Gordon, Mrs.	Skiles
Hale	Smith of Frio
Hamilton	Smith of Hopkins
Hankamer	Smith
Hardeman	of Matagorda
Hardin	Spencer
Harp	Stinson
Harper	Stoll
Harris	Talbert
Heflin	Tarwater
Holland	Taylor
Howard	Tennant
Hunt	Thornberry
Isaacks	Thornton
Johnson of Ellis	Turner
Johnson of Tarrant	Vale
Kern	Waggoner
Kinard	Weldon
Langdon	Wells
Lehman	Westbrook
Leonard	White
Leyendecker	Wilson
Little	Winfree
Lock	Wood
Loggins	Worley
London	Wright
McAlister	

Nays—10

Allen	Kennedy
Bray	Kerr
Davis of Upshur	Kersey
Fielden	Newell
Howington	Pace

Present—Not Voting

Donaghey

Absent

Bond	Harrell of Lamar
Dean	Hartzog
Dwyer	Hull

King	Reader of Bexar
Mays	Schuenemann
McDaniel	Shell
McDonald	Vint
Pope	Voigt
Ragsdale	

Absent—Excused

Dowell	Keith
Harrell of Bastrop	

## SENATE BILL NO. 416 ON SECOND READING

Mr. Heflin moved that the necessary Rules be suspended, for the purpose of taking up, and considering, at this time, Senate Bill No. 416.

The motion prevailed by the following vote:

Yeas—114

Allison	Hamilton
Alsup	Hankamer
Bailey	Hardeman
Baker	Hardin
of Fort Bend	Harp
Baker of Grayson	Harper
Bell	Harris
Blankenship	Heflin
Boethel	Holland
Boyd	Howard
Boyer	Howington
Bradbury	Hunt
Bradford	Isaacks
Bray	Johnson of Ellis
Broadfoot	Johnson of Tarrant
Brown of Cherokee	Kennedy
Bundy	Kern
Burkett	Kerr
Burney	Kersey
Cauthorn	Kinard
Chambers	Langdon
Clark	Lehman
Cleveland	Leonard
Cockrell	Leyendecker
Coleman	Little
Colquitt	Lock
Colson, Mrs.	Loggins
Cornett	London
Corry	McAlister
Crossley	McDaniel
Daniel	McDonald
Davis of Jasper	McFarland
Davis of Upshur	McMurry
Derden	McNamara
Dickison	Mohrmann
Dickson	Montgomery
Donaghey	Newell
Faulkner	Nicholson
Ferguson	Oliver
Fielden	Petsch
Fuchs	Pevehouse
Gilmer	Piner
Gordon, Mrs.	Reader of Erath

Reaves	Stinson
Reed	Tarwater
Rhodes	Taylor
Riviere	Thornberry
Roach	Thornton
Roberts	Turner
Russell	Voigt
Segrist	Waggoner
Shell	Weldon
Skiles	Westbrook
Smith of Frio	Wilson
Smith of Hopkins	Winfree
Smith	Wood
of Matagorda	Worley
Spencer	Wright

## Nays—5

Allen	Wells
Stoll	White
Tennant	

## Present—Not Voting

Brown  
of Nacogdoches

## Absent

Anderson	King
Bond	Mays
Bridgers	Monkhouse
Celaya	Morris
Dean	Pace
Dwyer	Pope
Felty	Ragsdale
Galbreath	Reader of Bexar
Goodman	Robinson
Hale	Schuenemann
Harrell of Lamar	Talbert
Hartzog	Vale
Hull	Vint

## Absent—Excused

Dowell	Keith
Harrell of Bastrop	

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 416, A bill to be entitled "An Act granting Dorothy Worsham of Houston, Harris County, Texas, Floyd Gwin of Galena Park, Harris County, Texas, Paul Bieherstein of Galena Park, Harris County, Texas, Clovis Putman of Galena Park, Harris County, Texas, A. C. Graham, Jr., of Galena Park, Harris County, Texas, and Martha Ruth Linan of Galena Park, Harris County, Texas, permission to sue the State of Texas for damages alleged to have resulted from the negligence of an officer of the Highway Patrol in the performance of his duties; providing that venue of such suits shall be in Travis

County, Texas; providing for the recovery of judgment against the State in the event of proof of negligence in a court of competent jurisdiction, and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 416 ON THIRD READING

Mr. Heflin moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 416 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—122

Allison	Gordon, Mrs.
Alsup	Hale
Bailey	Hamilton
Baker	Hankamer
of Fort Bend	Hardeman
Baker of Grayson	Hardin
Bell	Harp
Boethel	Harper
Boyd	Harrell of Lamar
Boyer	Heflin
Bradbury	Holland
Bray	Howard
Broadfoot	Howington
Brown of Cherokee	Hunt
Bundy	Isaacks
Burkett	Johnson of Ellis
Burney	Johnson of Tarrant
Cauthorn	Kennedy
Celaya	Kern
Chambers	Kerr
Clark	Kersey
Cleveland	Kinard
Cockrell	Langdon
Coleman	Lehman
Colquitt	Leonard
Colson, Mrs.	Leyendecker
Cornett	Little
Corry	Lock
Crossley	Loggins
Daniel	London
Davis of Jasper	McAlister
Davis of Upshur	McDaniel
Dickison	McDonald
Dickson	McMurry
Donaghey	McNamara
Faulkner	Mohrmann
Felty	Monkhouse
Ferguson	Montgomery
Fielden	Morris
Fuchs	Newell
Galbreath	Nicholson
Gilmer	Oliver
Goodman	Pace

Petsch	Spencer
Pevehouse	Talbert
Piner	Tarwater
Pope	Taylor
Reader of Erath	Thornberry
Reaves	Thornton
Reed	Turner
Rhodes	Vale
Riviere	Vint
Roach	Voigt
Roberts	Waggoner
Robinson	Weldon
Russell	Wells
Segrist	White
Skiles	Wilson
Smith of Frio	Winfree
Smith of Hopkins	Wood
Smith of Matagorda	Worley
	Wright

## Nays—3

Allen	Tennant
Stoll	

## Present—Not Voting

Brown	Westbrook
of Nacogdoches	

## Absent

Anderson	Hull
Blankenship	King
Bond	Mays
Bradford	McFarland
Bridgers	Ragsdale
Dean	Reader of Bexar
Derden	Schuenemann
Dwyer	Shell
Harris	Stinson
Hartzog	

## Absent—Excused

Dowell	Keith
Harrell of Bastrop	

The Speaker then laid Senate Bill No. 416 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—126

Allison	Bray
Alsup	Bridgers
Bailey	Broadfoot
Baker	Brown of Cherokee
of Fort Bend	Bundy
Baker of Grayson	Burkett
Bell	Burney
Blankenship	Cauthorn
Boethel	Celaya
Boyd	Chambers
Boyer	Clark
Bradbury	Cleveland
Bradford	Cockrell

Coleman	McMurry
Colquitt	McNamara
Colson, Mrs.	Mohrmann
Cornett	Monkhouse
Crossley	Montgomery
Daniel	Morris
Davis of Upshur	Newell
Derden	Nicholson
Dickison	Oliver
Dickson	Pace
Donaghey	Petsch
Faulkner	Pevehouse
Felty	Piner
Ferguson	Pope
Fielden	Reader of Erath
Fuchs	Reaves
Galbreath	Reed
Gilmer	Rhodes
Goodman	Riviere
Gordon, Mrs.	Roach
Hamilton	Roberts
Hankamer	Robinson
Hardeman	Russell
Hardin	Schuenemann
Harp	Segrist
Harper	Skiles
Harrell of Lamar	Smith of Frio
Heflin	Smith of Hopkins
Holland	Smith
Howard	of Matagorda
Howington	Spencer
Hunt	Stinson
Isaacks	Talbert
Johnson of Ellis	Tarwater
Johnson of Tarrant	Taylor
Kennedy	Thornberry
Kern	Thornton
Kerr	Turner
Kinard	Vale
Langdon	Vint
Lehman	Voigt
Leonard	Waggoner
Leyendecker	Weldon
Little	Wells
Lock	Westbrook
Loggins	White
London	Wilson
McAlister	Winfree
McDaniel	Wood
McDonald	Worley
McFarland	Wright

## Nays—3

Allen	Tennant
Stoll	

## Present—Not Voting

Brown	
of Nacogdoches	

## Absent

Anderson	Dean
Bond	Dwyer
Corry	Hale
Davis of Jasper	Harris

Hartzog	Mays
Hull	Ragsdale
Kersey	Reader of Bexar
King	Shell

Absent—Excused

Dowell	Keith
Harrell of Bastrop	

#### MESSAGE FROM THE SENATE

Austin, Texas, April 19, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 613.

The following have been appointed, on the part of the Senate: Senators Roberts, Graves, Lanning, Kelley and Brownlee.

The Senate has refused to concur in House amendments to Senate Bill No. 221, and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed, on the part of the Senate: Senators Kelley, Metcalfe, Stone of Galveston, Spears and Winfield.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### SENATE BILL NO. 50 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 50, A bill to be entitled "An Act amending Article 7057a of the Revised Civil Statutes of 1925, and declaring an emergency."

The bill was read second time, and was passed to third reading.

(Mr. Leonard in the Chair.)

#### SENATE BILL NO. 50 ON THIRD READING

Mr. Kinard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 50 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Allen	Isaacks
Allison	Johnson of Ellis
Alsup	Johnson of Tarrant
Anderson	Kennedy
Bailey	Kern
Baker	Kerr
of Fort Bend	Kinard
Baker of Grayson	Langdon
Bell	Lehman
Blankenship	Leyendecker
Boethel	Lock
Boyd	London
Boyer	Mays
Bradbury	McAlister
Bradford	McDaniel
Bridgers	McMurry
Brown of Cherokee	McNamara
Brown	Mohrmann
of Nacogdoches	Monkhouse
Bundy	Montgomery
Burkett	Morris
Burney	Newell
Cauthorn	Nicholson
Celaya	Oliver
Chambers	Pace
Clark	Petsch
Cleveland	Pevehouse
Cockrell	Piner
Coleman	Reader of Erath
Colquitt	Reaves
Colson, Mrs.	Reed
Cornett	Rhodes
Crossley	Riviere
Daniel	Roach
Davis of Jasper	Roberts
Davis of Upshur	Robinson
Derden	Russell
Dickison	Schuenemann
Dickson	Segrist
Faulkner	Skiles
Felty	Smith of Frio
Ferguson	Smith of Hopkins
Fielden	Smith
Galbreath	of Matagorda
Gilmer	Spencer
Goodman	Stoll
Gordon, Mrs.	Talbert
Hamilton	Tarwater
Hankamer	Taylor
Hardeman	Tennant
Hardin	Thornberry
Harp	Thornton
Harrell of Lamar	Turner
Harris	Vale
Hartzog	Vint
Heflin	Voigt
Holland	Waggoner
Howard	Weldon
Howington	Wells
Hull	Westbrook
Hunt	White

Wilson	Worley
Wood	Wright
Nays—1	
Bray	Absent
Bond	Little
Broadfoot	Loggins
Corry	McDonald
Dean	McFarland
Donaghey	Pope
Dwyer	Ragsdale
Fuchs	Reader of Bexar
Hale	Shell
Harper	Stinson
Kersey	Winfree
King	

Absent—Excused

Dowell	Keith
Harrell of Bastrop	

The Chair then laid Senate Bill No. 50 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—123

Allen	Davis of Jasper
Allison	Davis of Upshur
Alsup	Derden
Anderson	Dickison
Bailey	Dickson
Baker	Faulkner
of Fort Bend	Felty
Bell	Ferguson
Blankenship	Fielden
Boethel	Galbreath
Boyd	Goodman
Boyer	Hamilton
Bradbury	Hankamer
Bradford	Hardeman
Bridgers	Hardin
Broadfoot	Harp
Brown of Cherokee	Harper
Brown	Harrell of Lamar
of Nacogdoches	Harris
Bundy	Heflin
Burkett	Holland
Burney	Howard
Cauthorn	Howington
Celaya	Hunt
Chambers	Isaacks
Clark	Johnson of Ellis
Cleveland	Johnson of Tarrant
Cockrell	Kennedy
Coleman	Kern
Colquitt	Kerr
Colson, Mrs.	Kersey
Cornett	Kinard
Corry	Langdon
Daniel	Lehman

Leyendecker	Schuenemann
London	Segrist
Mays	Shell
McAlister	Skiles
McDaniel	Smith of Frio
McMurry	Smith of Hopkins
McNamara	Smith
Mohrmann	of Matagorda
Monkhouse	Spencer
Montgomery	Stinson
Morris	Stoll
Newell	Talbert
Nicholson	Tarwater
Oliver	Taylor
Pace	Tennant
Petsch	Thornberry
Pevehouse	Thornton
Piner	Turner
Pope	Vale
Reader of Bexar	Voigt
Reader of Erath	Waggoner
Reaves	Weldon
Reed	Wells
Rhodes	Westbrook
Riviere	White
Roach	Wilson
Roberts	Winfree
Robinson	Wood
Russell	Worley

Nays—1

Bray

Absent

Baker of Grayson	Hull
Bond	King
Crossley	Little
Dean	Lock
Donaghey	Loggins
Dwyer	McDonald
Fuchs	McFarland
Gilmer	Ragsdale
Gordon, Mrs.	Vint
Hale	Wright
Hartzog	

Absent—Excused

Dowell	Keith
Harrell of Bastrop	

#### SENATE BILL NO. 52 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 52, A bill to be entitled "An Act amending Article 7047b of the Revised Civil Statutes of 1925, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 52 ON THIRD  
READING

Mr. Kinard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 52 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—129

Allen	Harper
Allison	Harrell of Lamar
Alsup	Harris
Anderson	Heflin
Bailey	Holland
Baker	Howard
of Fort Bend	Howington
Bell	Hull
Blankenship	Hunt
Boethel	Isaacks
Boyd	Johnson of Ellis
Boyer	Johnson of Tarrant
Bradbury	Kennedy
Bradford	Kern
Bridgers	Kerr
Broadfoot	Kersey
Brown of Cherokee	Kinard
Brown	King
of Nacogdoches	Langdon
Burkett	Lehman
Burney	Leyendecker
Cauthorn	Lock
Celaya	London
Chambers	Mays
Clark	McAlister
Cleveland	McDaniel
Cockrell	McMurry
Coleman	McNamara
Colquitt	Mohrmann
Colson, Mrs.	Monkhouse
Cornett	Montgomery
Crossley	Morris
Daniel	Newell
Davis of Jasper	Nicholson
Davis of Upshur	Oliver
Derden	Pace
Dickison	Petsch
Dickson	Pevehouse
Donaghey	Piner
Faulkner	Pope
Ferguson	Reader of Bexar
Fielden	Reader of Erath
Fuchs	Reaves
Galbreath	Reed
Gilmer	Rhodes
Goodman	Riviere
Hamilton	Roach
Hankamer	Roberts
Hardeman	Robinson
Hardin	Russell
Harp	Schuenemann

Segrist	Thornton
Shell	Turner
Skiles	Vale
Smith of Frio	Vint
Smith of Hopkins	Voigt
Smith	Waggoner
of Matagorda	Weldon
Spencer	Wells
Stinson	Westbrook
Stoll	White
Talbert	Wilson
Tarwater	Winfree
Taylor	Wood
Tennant	Worley
Thornberry	Wright

Nays—1

Bray

Absent

Baker of Grayson	Hale
Bond	Hartzog
Bundy	Little
Corry	Loggins
Dean	McDonald
Dwyer	McFarland
Felty	Ragsdale
Gordon, Mrs.	

Absent—Excused

Dowell	Keith
Harrell of Bastrop	

The Chair then laid Senate Bill No. 52 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—132

Allen	Clark
Allison	Cleveland
Alsup	Cockrell
Anderson	Coleman
Bailey	Colquitt
Baker	Colson, Mrs.
of Fort Bend	Cornett
Bell	Crossley
Blankenship	Daniel
Boethel	Davis of Jasper
Boyd	Davis of Upshur
Boyer	Dickson
Bradbury	Dickson
Bradford	Donaghey
Bridgers	Faulkner
Brown of Cherokee	Felty
Brown	Ferguson
of Nacogdoches	Fielden
Bundy	Fuchs
Burkett	Galbreath
Burney	Gilmer
Cauthorn	Goodman
Celaya	Gordon, Mrs.
Chambers	Hamilton

Hankamer	Piner
Hardeman	Ragsdale
Hardin	Reader of Bexar
Harp	Reader of Erath
Harper	Reaves
Harrell of Lamar	Reed
Harris	Rhodes
Heflin	Riviere
Holland	Roach
Howard	Roberts
Howington	Robinson
Hull	Russell
Hunt	Schuenemann
Isaacks	Segrist
Johnson of Ellis	Shell
Johnson of Tarrant	Skiles
Kennedy	Smith of Frio
Kern	Smith of Hopkins
Kerr	Smith
Kersey	of Matagorda
Kinard	Spencer
King	Stinson
Langdon	Stoll
Lehman	Talbert
Leyendecker	Tarwater
Little	Taylor
Lock	Tennant
London	Thornberry
Mays	Thornton
McAlister	Turner
McDaniel	Vale
McDonald	Vint
McMurry	Voigt
McNamara	Waggoner
Mohrmann	Weldon
Monkhouse	Wells
Montgomery	Westbrook
Morris	White
Newell	Wilson
Nicholson	Winfree
Oliver	Wood
Pace	Worley
Petsch	Wright
Pevehouse	

Nays—1

Bray

Absent

Baker of Grayson	Dwyer
Bond	Hale
Broadfoot	Hartzog
Corry	Loggins
Dean	McFarland
Derden	Pope

Absent—Excused

Dowell	Keith
Harrell of Bastrop	

SENATE BILL NO. 51 ON SECOND  
READING

The Chair laid before the House,  
on its second reading and passage to  
third reading,

S. B. No. 51, A bill to be entitled  
"An Act amending Article 7057a, of  
the Revised Civil Statutes of 1925,  
and declaring an emergency."

The bill was read second time, and  
was passed to third reading.

SENATE BILL NO. 51 ON THIRD  
READING

Mr. Kinard moved that the con-  
stitutional rule, requiring bills to be  
read on three several days, be sus-  
pended, and that Senate Bill No. 51  
be placed on its third reading and  
final passage.

The motion prevailed by the fol-  
lowing vote:

Yeas—132

Allen	Fielden
Allison	Fuchs
Alsup	Galbreath
Anderson	Gilmer
Bailey	Goodman
Baker	Gordon, Mrs.
of Fort Bend	Hamilton
Bell	Hankamer
Blankenship	Hardeman
Boethel	Hardin
Boyd	Harp
Boyer	Harper
Bradbury	Harrell of Lamar
Bradford	Harris
Bridgers	Heflin
Broadfoot	Holland
Brown of Cherokee	Howard
Brown	Howington
of Nacogdoches	Hull
Bundy	Hunt
Burkett	Isaacks
Burney	Johnson of Ellis
Cauthorn	Johnson of Tarrant
Celaya	Kennedy
Chambers	Kern
Clark	Kerr
Cleveland	Kersey
Cockrell	Kinard
Coleman	King
Colquitt	Langdon
Colson, Mrs.	Lehman
Cornett	Leyendecker
Corry	Lock
Crossley	Loggins
Daniel	London
Davis of Jasper	Mays
Davis of Upshur	McAlister
Derden	McDonald
Dickison	McMurry
Dickson	McNamara
Donaghey	Mohrmann
Faulkner	Monkhouse
Felty	Montgomery
Ferguson	Morris

Newell	Smith
Nicholson	of Matagorda
Oliver	Spencer
Pace	Stinson
Petsch	Stoll
Pevehouse	Talbert
Piner	Tarwater
Ragsdale	Taylor
Reader of Erath	Tennant
Reaves	Thornberry
Reed	Thornton
Rhodes	Turner
Riviere	Vale
Roach	Vint
Roberts	Voigt
Robinson	Waggoner
Russell	Weldon
Schuenemann	Wells
Segrist	Westbrook
Shell	White
Skiles	Wilson
Smith of Frio	Wood
Smith of Hopkins	Worley
	Wright

Nays—1

Bray

Absent

Baker of Grayson	Little
Bond	McDaniel
Dean	McFarland
Dwyer	Pope
Hale	Reader of Bexar
Hartzog	Winfree

Absent—Excused

Dowell	Keith
Harrell of Bastrop	

The Chair then laid Senate Bill No. 51 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—134

Allen	Broadfoot
Allison	Brown of Cherokee
Alsup	Brown
Anderson	of Nacogdoches
Bailey	Bundy
Baker	Burkett
of Fort Bend	Burney
Bell	Cauthorn
Blankenship	Celaya
Boethel	Chambers
Bond	Clark
Boyd	Cleveland
Boyer	Cockrell
Bradbury	Coleman
Bradford	Colquitt
Bridgers	Colson, Mrs.

Cornett	Mohrmann
Corry	Monkhouse
Crossley	Montgomery
Daniel	Morris
Davis of Jasper	Newell
Davis of Upshur	Nicholson
Derden	Oliver
Dickison	Pace
Dickson	Petsch
Donaghey	Pevehouse
Faulkner	Piner
Felty	Ragsdale
Ferguson	Reader of Erath
Fielden	Reaves
Fuchs	Reed
Galbreath	Rhodes
Gilmer	Riviere
Goodman	Roach
Gordon, Mrs.	Roberts
Hale	Robinson
Hamilton	Russell
Hankamer	Schuenemann
Hardeman	Segrist
Hardin	Shell
Harp	Skiles
Harper	Smith of Frio
Harrell of Lamar	Smith of Hopkins
Harris	Smith
Heflin	of Matagorda
Holland	Spencer
Howard	Stinson
Howington	Stoll
Hunt	Talbert
Isaacks	Tarwater
Johnson of Ellis	Taylor
Johnson of Tarrant	Tennant
Kennedy	Thornberry
Kern	Thornton
Kersey	Turner
Kinard	Vale
King	Vint
Langdon	Voigt
Lehman	Waggoner
Leyendecker	Weldon
Little	Wells
Lock	Westbrook
Loggins	White
London	Wilson
Mays	Winfree
McAlister	Wood
McDonald	Worley
McMurry	Wright
McNamara	

Nays—1

Bray

Absent

Baker of Grayson	Kerr
Dean	McDaniel
Dwyer	McFarland
Hartzog	Pope
Hull	Reader of Bexar

## Absent—Excused

Dowell Keith  
Harrell of Bastrop

## SENATE BILL NO. 49 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 49, A bill to be entitled "An Act amending Article 7047b, of the Revised Civil Statutes of 1925, and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 49 ON THIRD READING

Mr. Kinard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 49 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—138

Allen	Davis of Jasper
Allison	Davis of Upshur
Alsup	Derden
Anderson	Dickison
Bailey	Dickson
Baker	Donaghey
of Fort Bend	Faulkner
Baker of Grayson	Felty
Bell	Ferguson
Blankenship	Fielden
Boethel	Fuchs
Bond	Galbreath
Boyd	Gilmer
Boyer	Goodman
Bradbury	Gordon, Mrs.
Bradford	Hale
Broadfoot	Hamilton
Brown of Cherokee	Hankamer
Brown	Hardeman
of Nacogdoches	Hardin
Bundy	Harp
Burkett	Harper
Burney	Harrell of Lamar
Cauthorn	Harris
Chambers	Heflin
Clark	Holland
Cleveland	Howard
Cockrell	Howington
Coleman	Hull
Colquitt	Hunt
Colson, Mrs.	Isaacks
Cornett	Johnson of Ellis
Corry	Johnson of Tarrant
Crossley	Kennedy
Daniel	Kern

Kerr	Riviere
Kersey	Roach
Kinard	Roberts
King	Robinson
Langdon	Russell
Lehman	Schuenemann
Leyendecker	Segrist
Little	Shell
Lock	Skiles
Loggins	Smith of Frio
London	Smith of Hopkins
Mays	Spencer
McAlister	Stinson
McDaniel	Stoll
McDonald	Talbert
McFarland	Tarwater
McMurry	Taylor
McNamara	Tennant
Mohrmann	Thornberry
Monkhouse	Thornton
Montgomery	Turner
Morris	Vale
Newell	Vint
Nicholson	Voigt
Oliver	Waggoner
Pace	Weldon
Petsch	Wells
Pevehouse	Westbrook
Piner	White
Ragsdale	Wilson
Reader of Bexar	Winfree
Reader of Erath	Wood
Reaves	Worley
Reed	Wright
Rhodes	

Nays—1

Bray

Absent

Bridgers	Hartzog
Celaya	Pope
Dean	Smith
Dwyer	of Matagorda

Absent—Excused

Dowell Keith  
Harrell of Bastrop

The Chair then laid Senate Bill No. 49 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—133

Allen	Bell
Allison	Blankenship
Alsup	Boethel
Anderson	Bond
Bailey	Boyd
Baker	Boyer
of Fort Bend	Bradbury
Baker of Grayson	Bradford

Bridgers	Little
Broadfoot	Lock
Brown of Cherokee	Loggins
Brown	London
of Nacogdoches	Mays
Bundy	McAlister
Burkett	McDaniel
Burney	McDonald
Cauthorn	McFarland
Chambers	McMurry
Clark	McNamara
Cleveland	Mohrmann
Cockrell	Monkhouse
Coleman	Montgomery
Colquitt	Morris
Colson, Mrs.	Newell
Cornett	Nicholson
Corry	Oliver
Crossley	Pace
Daniel	Petsch
Davis of Jasper	Pevehouse
Davis of Upshur	Piner
Derden	Ragsdale
Dickison	Reader of Erath
Dickson	Reaves
Donaghey	Reed
Faulkner	Rhodes
Ferguson	Riviere
Fielden	Roach
Fuchs	Roberts
Galbreath	Robinson
Gilmer	Russell
Goodman	Segrist
Gordon, Mrs.	Skiles
Hamilton	Smith of Frio
Hankamer	Smith of Hopkins
Hardeman	Smith
Hardin	of Matagorda
Harp	Spencer
Harper	Stinson
Harrell of Lamar	Stoll
Harris	Talbert
Heflin	Tarwater
Holland	Taylor
Howard	Tennant
Howington	Thornton
Hull	Turner
Hunt	Vale
Isaacks	Vint
Johnson of Ellis	Voigt
Johnson of Tarrant	Waggoner
Kennedy	Weldon
Kern	Wells
Kerr	Westbrook
Kersey	White
Kinard	Wilson
King	Winfree
Langdon	Wood
Lehman	Worley
Leyendecker	Wright

Nays—1

Bray

## Absent

Celaya	Pope
Dean	Reader of Bexar
Dwyer	Schuenemann
Felty	Shell
Hale	Thornberry
Hartzog	

Absent—Excused

Dowell	Keith
Harrell of Bastrop	

## SENATE BILL NO. 70 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 70, A bill to be entitled "An Act to amend Article 2007 of the Revised Statutes relating to plea of privilege by adding thereto a provision that such plea shall not be construed to embrace any of the matters set forth in Article 2010, Revised Statutes, unless specifically alleged in such plea; repealing conflicting law, except that this amendment shall apply in subsequently filed suits only, and declaring an emergency."

The bill was read second time.

(Speaker in the Chair.)

Mr. McFarland offered the following amendment to the bill:

Amend Senate Bill No. 70, by striking out the words, "appearance day", in the third line from the bottom of said bill, and insert in lieu thereof the following: "service on him, or his attorney of record of a copy of such plea of privilege".

Question—Shall the amendment by Mr. McFarland be adopted?

## PROVIDING FOR CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

Mr. Mays moved that the House meet at 4:30 o'clock p. m., tomorrow, for the purpose of considering local and uncontested bills.

The motion was lost.

Mr. Tennant then moved that the House meet at 7:30 o'clock p. m., tomorrow, for the purpose of considering local and uncontested bills.

The motion prevailed.

## RECALLING HOUSE BILL NO. 380 FROM THE GOVERNOR

Mr. Harris offered the following resolution:

H. C. R. No. 107, Recalling House Bill No. 380 from the Governor.

Whereas, House Bill No. 380 is now in the Governor's office; and

Whereas, It is necessary for said bill to be returned to the House for an amendment in order that it will not affect the Rural Aid Bill; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Governor be requested to return said bill to the House for further consideration.

The resolution was read second time, and was adopted.

#### BILL ORDERED NOT PRINTED

(By unanimous consent)

On motion of Mr. Davis of Upshur, Senate Bill No. 434 was ordered not printed.

#### PRESENTATION OF GLEE CLUB OF TEXAS CHRISTIAN UNIVERSITY

In accordance with the provisions of House Simple Resolution No. 215, by Mr. Langdon, providing for the Glee Club of the Texas Christian University to appear before the House, and render a program, the Speaker announced the appointment of the following committee to escort the visitors to the Speaker's stand: Messrs. Langdon, Daniel, Hull, Johnson of Tarrant, Corry, Bradford and McAlister.

The committee having escorted the visitors to the Speaker's stand, Speaker Morse presented Mr. Langdon, who introduced Mr. William Morris, Director of the T. C. U. Mixed Glee Club.

The Club then rendered several selections, under the direction of Mr. Morris.

#### BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 431, "An Act relating to the salaries of all State Officers except those Constitutional State Officers whose salaries are specifically fixed by the Constitution; specifically providing that the Legislature shall fix the amount of compensation to be

paid clerks of the Courts of Civil Appeals, the Supreme Court and the Court of Criminal Appeals out of fees of office, and specifically repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 657, "An Act providing the amount of salaries for the First Assistant to the Tax Assessor and Collector in certain counties; providing for the salaries of Cashiers of such Assessor and Collector; providing for the salaries of all other assistants and deputies to such an officer; repealing all laws in conflict therewith to the extent of the conflict only, and declaring an emergency."

H. B. No. 683, "An Act defining a Commercial Fisherman; providing for a license for any person, firm or corporation operating as such; providing for the issuance of non-residence licenses; defining the coastal waters over which the State of Texas has jurisdiction; providing for a penalty; providing for the enforcement of this Act, and declaring an emergency, and effective date of this Act."

H. B. No. 894, "An Act providing that it shall be unlawful to shoot quail in McCullough and San Saba Counties until December 1, 1941; providing a suitable penalty for violation of this Act; repealing all conflicting laws, and declaring an emergency."

H. B. No. 909, "An Act to amend Article 1654a, Section 1, of the Revised Civil Statutes; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

#### HOUSE BILLS ON FIRST READING

Mr. Vint asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 993.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Vint:

H. B. No. 993, "A bill to be entitled "An Act to provide for acquiring and acceptance of title from San Felipe Park Association and Corporation of San Felipe de Austin to about six hundred, fifty (650) acres of land situated in Austin County, Texas, and being a part of the original Five

League Grant from the Republic of Mexico to the town of San Felipe de Austin; providing for management and control, fencing, beautifying and improving said land, the same to be designated by name as 'Stephen F. Austin State Park'; making an appropriation therefor, and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

Mr. Oliver asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 994.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Oliver:

H. B. No. 994, A bill to be entitled "An Act validating and confirming all procedure in the organization and establishing of certain school district, validating all acts and procedure of school boards and/or County Commissioners' Courts in such districts; making such acts cumulative of all laws and parts of laws not in conflict herewith, and declaring an emergency."

Referred to the Committee on School Districts.

### RECESS

On motion of Mr. Alsup, the House, at 12:20 o'clock p. m., took recess until 2:30 o'clock p. m., today.

### AFTERNOON SESSION

The House met at 2:30 o'clock p. m., and was called to order by the Speaker.

### RELATIVE TO HOUSE BILL NO. 971

By unanimous consent of the House, the following amendment, by Mr. White, to House Bill No. 971, was ordered adopted:

Amend House Bill No. 971, by changing the figures "1941," to "1943," wherever it appears in the bill.

### SENATE BILL NO. 70 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as pending business, Senate Bill No.

70, To Amend Article 2007 of the Revised Civil Statutes relating to plea of privilege, etc., on its passage to third reading.

The bill having been read second time, on this morning, with amendment by Mr. McFarland, pending.

On motion of Mr. Boyer, the amendment by Mr. McFarland, was tabled.

Senate Bill No. 70 was then passed to third reading.

### SENATE BILL NO. 70 ON THIRD READING

Mr. Howard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 70 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105

Allen	Gilmer
Allison	Gordon, Mrs.
Alsup	Hamilton
Baker	Hankamer
of Fort Bend	Hardeman
Baker of Grayson	Hardin
Bell	Harp
Blankenship	Harper
Boethel	Heflin
Boyd	Holland
Boyer	Howard
Bradford	Howington
Bridgers	Hunt
Brown of Cherokee	Isaacks
Brown	Johnson of Ellis
of Nacogdoches	Johnson of Tarrant
Bundy	Kennedy
Burkett	Kern
Burney	Kersey
Cauthorn	King
Chambers	Lehman
Clark	Leonard
Cleveland	Little
Cockrell	Lock
Coleman	Mays
Colquitt	McAlister
Colson, Mrs.	McDaniel
Cornett	McDonald
Corry	McFarland
Crossley	McMurry
Daniel	Mohrmann
Davis of Upshur	Monkhouse
Derden	Montgomery
Dickison	Morris
Faulkner	Newell
Felty	Nicholson
Ferguson	Pace
Fielden	Piner
Galbreath	Pope

Ragsdale	Stinson
Reader of Erath	Stoll
Reaves	Tarwater
Reed	Taylor
Riviere	Thornberry
Roach	Thornton
Russell	Turner
Schuenemann	Voigt
Segrist	Waggoner
Skiles	Weldon
Smith of Frio	Wells
Smith of Hopkins	White
Smith	Winfree
of Matagorda	Worley
Spencer	Wright

## Nays—10

Bailey	Rhodes
Bradbury	Roberts
Bray	Talbert
Fuchs	Tennant
McNamara	Wilson

## Absent

Anderson	Kinard
Bond	Langdon
Broadfoot	Leyendecker
Celaya	Loggins
Davis of Jasper	London
Dean	Oliver
Dickson	Petsch
Donaghey	Pevehouse
Dwyer	Reader of Bexar
Goodman	Robinson
Hale	Shell
Harrell of Lamar	Vale
Harris	Vint
Hartzog	Westbrook
Hull	Wood
Kerr	

## Absent—Excused

Dowell	Keith
Harrell of Bastrop	

The Speaker then laid Senate Bill No. 70 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—109

Allison	Brown of Cherokee
Alsup	Brown
Baker	of Nacogdoches
of Fort Bend	Bundy
Baker of Grayson	Burkett
Bell	Burney
Blankenship	Cauthorn
Boethel	Chambers
Boyd	Clark
Boyer	Cleveland
Bradford	Coleman
Bridgers	Colquitt

Colson, Mrs.	Mohrmann
Cornett	Monkhouse
Corry	Montgomery
Crossley	Morris
Daniel	Newell
Derden	Nicholson
Dickison	Pace
Dickson	Petsch
Donaghey	Pevehouse
Faulkner	Piner
Felty	Pope
Ferguson	Ragsdale
Fielden	Reader of Erath
Galbreath	Reaves
Gilmer	Reed
Gordon, Mrs.	Riviere
Hamilton	Roach
Hankamer	Robinson
Hardeman	Russell
Hardin	Schuenemann
Harp	Segrist
Harper	Shell
Heflin	Skiles
Holland	Smith of Frio
Howard	Smith of Hopkins
Howington	Smith
Isaacks	of Matagorda
Johnson of Ellis	Spencer
Johnson of Tarrant	Stinson
Kennedy	Stoll
Kern	Tarwater
King	Taylor
Lehman	Thornberry
Leonard	Thornton
Leyendecker	Turner
Little	Vint
Lock	Voigt
London	Waggoner
Mays	Weldon
McAlister	Wells
McDaniel	White
McDonald	Winfree
McFarland	Wood
McNamara	Worley

## Nays—10

Bailey	Kersey
Bradbury	Rhodes
Bray	Roberts
Cockrell	Talbert
Davis of Upshur	Tennant

## Absent

Allen	Hale
Anderson	Harrell of Lamar
Bond	Harris
Broadfoot	Hartzog
Celaya	Hull
Davis of Jasper	Hunt
Dean	Kerr
Dwyer	Kinard
Fuchs	Langdon
Goodman	Loggins

McMurry	Westbrook
Oliver	Wilson
Reader of Bexar	Wright
Vale	

Absent—Excused

Dowell	Keith
Harrell of Bastrop	

# HOUSE BILL NO. 926 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 926, A bill to be entitled "An Act appropriating the sum of Eight Hundred Eighty Thousand, Three Hundred Thirty-two (\$880,332.00) Dollars per year, or so much thereof as may be necessary for the next biennium beginning September 1, 1939 and ending August 31, 1941, from the General Revenue Fund for the purpose of promoting public school interests and assisting local districts in the teaching of vocational agriculture, home economics, trades and industries, general rehabilitation and rehabilitation for crippled children according to the Federal Laws governing vocational education, all of which shall be matched by Federal funds; providing for the administration, attaching conditions, regulations and limitations relative thereto, making various allocations of said appropriation; authorizing aid to such schools in accordance with the condition specified herein; providing for certain regulations concerning qualification of teachers; providing all costs of administering funds named in this Act shall be paid out of monies appropriated in this Act under authority of the State Superintendent of Public Instruction under the direction of the State Board of Education; defining the powers of the State Board of Education and the State Superintendent; declaring the rule in event any provision of this Act is unconstitutional or invalid, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Alsop offered the following committee amendment to the bill:

Amend House Bill No. 926 by striking out all below the enacting clause and substitute in lieu therefor the following:

"Section 1. For the purpose of promoting public school interests and

matching Federal funds for vocational agriculture, home economics, trades and industries, crippled children and civilian rehabilitation according to the Federal laws governing vocational education, there is hereby appropriated out of the General Revenue Fund Seven Hundred and Seventy Thousand (\$770,000.00) Dollars, or so much thereof as may be necessary for the school year ending August 31, 1940 and Seven Hundred and Seventy Thousand (\$770,000.00) Dollars, or so much thereof as may be necessary for the school year ending August 31, 1941 to be allotted and expended by the State Superintendent of Public Instruction under the direction of the State Board of Education.

Sec. 2. As hereby allocated, the following amounts are specifically set aside for the following purposes:

Vocational Agriculture, \$212,590.57.

Vocational Home Economics, \$179,594.96.

Trades and Industries and Distributive Education, \$115,958.47.

Crippled Children, \$127,790.00.

Civilian Rehabilitation, \$58,989.00.

Administration, \$75,077.00.

Each of the above named allocations being for each year of the biennium. Provided that the Department of Vocational Rehabilitation is hereby authorized to receive donations and gifts and place same in the State Treasury of Texas in a special fund to be used under the provisions of the Vocational Rehabilitation Act.

"Sec. 2a. It is specifically provided that out of the monies herein appropriated for crippled children, no payments shall be made for professional services rendered to crippled children where the charge is made by hospital, institution or clinic. It is further provided that no doctor shall receive more than One Hundred (\$100.00) Dollars per calendar month for his professional services rendered to crippled children.

"Sec. 2b. All applicants seeking State aid out of the appropriation herein made for crippled children must, when filing their application with the Department, state the names of three institutions to which said applicant desires admittance. The Department shall send the applicant to the institution nearest the residence of the applicant provided said institution has the facilities to accommodate said applicant.

The Department shall not receive and approve any application where said application seeks admittance for a person at a date more than twelve (12) months from the date on which the application was filed.

Sec. 3. Powers of State Board of Education and State Superintendent of Public Instruction. It shall be the duty of the State Board of Education, and it is hereby authorized, to take such action and to make such rules and regulations not inconsistent with the terms of this Act, as may be necessary to carry out the provisions and intentions of the Act, and for the best interest of the schools for whose benefit these funds are appropriated. Full authority should be given to the State Superintendent and State Board to administer all funds appropriated. It shall be the duty of the State Superintendent of Public Instruction to appoint the personnel for the administration of vocational education and crippled children as listed in the Departmental Appropriation Bill.

The salaries and travel expense of those appointees as provided for shall be paid out of monies herein appropriated for vocational education, rehabilitation, crippled children, respectively, and in amounts as passed by the Departmental Appropriation Bill for the biennium ending August 31, 1941. Provided that no appropriation shall be granted for the administration of this Act in excess of the amount specifically allocated for said purpose in this Act.

Sec. 4. The fact that many schools in this State are desirous of having the services of vocational agriculture teachers, home-making teachers, and other services as mentioned in this Act, and the further fact that if these schools receive such services it is absolutely necessary that this appropriation be passed, creates an emergency and an imperative public necessity that the rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(Pending consideration of the committee amendment, Mr. Piner occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Alsup offered the following amendment to the committee amendment:

Amend House Bill No. 926, by adding at the end of Section 2, line 38, page 1, the following:

"It is specifically provided that the salary schedule for vocational agricultural teachers shall be set on a minimum-maximum basis as follows: the minimum salary to be paid to vocational agricultural teachers shall be not less than One Hundred Twenty-five (\$125.00) Dollars per month for twelve (12) months; the maximum salary shall be not more than One Hundred Eighty-three (\$183.00) Dollars per month for twelve (12) months. And provided further that no aid shall be granted to any school district from any allocation in this Act to pay the salary of any vocational agricultural teacher in excess of the maximum amount stated herein."

The amendment was adopted.

Mr. Dickison offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 926, by striking out the figures now appearing in Section 2, line 7, and substituting in lieu thereof the following: "Crippled Children, \$172,000.00".

DICKISON,  
SCHUENEMANN,  
BAKER of Fort Bend.

Mr. Thornton moved to table the amendment.

The motion to table was lost.

Mr. Alsup offered the following substitute for the amendment by Mr. Dickison:

Amend the Dickison amendment, by striking out the figures "\$172,000.00" to be allocated for crippled children, and substituting in lieu thereof the following figures: "\$147,790.00".

Mr. Dickison moved to table the substitute amendment by Mr. Alsup.

The motion to table was lost.

Question then recurring on the substitute amendment by Mr. Alsup, it was adopted.

Question then recurring on the amendment by Mr. Dickison, as substituted, it was adopted.

Mr. Dickison offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 926, by striking out

the figures now appearing in Section 2, line 3, and substituting in lieu thereof the following: "Vocational Agriculture, \$300,000.00".

DICKISON,  
SCHUENEMANN,  
BAKER of Fort Bend.

(Mr. Leonard in the Chair.)

Mr. Thornton moved to table the amendment by Mr. Dickison.

The motion to table was lost.

Mr. Alsup offered the following substitute for the amendment by Mr. Dickison:

Amend the Dickison amendment, by striking out the figures "\$300,000.00" to be allocated for vocational agriculture, and substituting in lieu therefor the following figures: "\$237,590.57".

Mr. Dickison moved to table the substitute amendment by Mr. Alsup.

The motion to table was lost.

Question recurring on the substitute amendment by Mr. Alsup, it was adopted.

Question then recurring on the amendment by Mr. Dickison, as substituted, it was adopted.

Mr. Dickison offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 926, by striking out the figures now appearing in Section 2, lines 5 and 6, and substituting in lieu thereof the following: "Trades and Industries and Distributive Education, \$157,000.00".

DICKISON,  
SCHUENEMANN.

On motion of Mr. Thornton, the amendment by Mr. Dickison was tabled.

Mr. Dickison offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 926, by eliminating Section 2a.

On motion of Mr. Thornton, the amendment by Mr. Dickison was tabled.

Mr. Dickison offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 926, by striking out the figures now appearing in Section 2, line 8, and substituting in lieu

thereof the following: "Civilian Rehabilitation, \$80,000.00".

DICKISON,  
SCHUENEMANN,  
BAKER of Fort Bend.

Mr. Thornton moved to table the amendment by Mr. Dickison.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced, as follows: Yeas, 64; Nays, 66.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted, as follows:

Yeas—67

Allen	Leyendecker
Allison	Loggins
Alsup	London
Boethel	McAlister
Bradford	McDaniel
Bray	McDonald
Bridgers	McFarland
Brown	McMurry
of Nacogdoches	McNamara
Bundy	Newell
Burkett	Nicholson
Burney	Pace
Cauthorn	Pope
Clark	Rhodes
Cockrell	Roach
Colquitt	Roberts
Crossley	Robinson
Daniel	Russell
Davis of Jasper	Segrist
Davis of Upshur	Smith of Frio
Fuchs	Smith
Goodman	of Matagorda
Hamilton	Stoll
Hankamer	Tarwater
Harper	Taylor
Harris	Tennant
Heflin	Thornton
Howington	Turner
Hull	Vale
Hunt	Vint
Isaacks	Waggoner
Johnson of Tarrant	Westbrook
Kennedy	Wilson
Kersey	Wood
Kinard	

Nays—65

Anderson	Boyd
Bailey	Boyer
Baker	Bradbury
of Fort Bend	Broadfoot
Baker of Grayson	Brown of Cherokee
Bell	Celaya
Bond	Chambers

Cleveland	Lock	Boethel	Kinard
Coleman	Mohrmann	Bradford	Leyendecker
Colson, Mrs.	Montgomery	Bray	London
Cornett	Morris	Bridgers	McAlister
Derden	Oliver	Brown	McDaniel
Dickison	Pevehouse	of Nacogdoches	McFarland
Faulkner	Piner	Bundy	McMurry
Felty	Ragsdale	Burkett	McNamara
Ferguson	Reader of Bexar	Burney	Pace
Fielden	Reader of Erath	Cauthorn	Reed
Galbreath	Reaves	Celaya	Rhodes
Gordon, Mrs.	Reed	Chambers	Riviere
Hale	Schuenemann	Clark	Roach
Hardeman	Skiles	Cockrell	Roberts
Hardin	Smith of Hopkins	Colquitt	Robinson
Harp	Spencer	Crossley	Russell
Harrell of Lamar	Stinson	Daniel	Schuenemann
Hartzog	Talbert	Davis of Jasper	Segrist
Holland	Thornberry	Davis of Upshur	Smith
Johnson of Ellis	Voigt	Faulkner	of Matagorda
Kern	Weldon	Fuchs	Spencer
Kerr	Wells	Gordon, Mrs.	Stinson
King	White	Hamilton	Stoll
Langdon	Winfree	Hankamer	Talbert
Lehman	Worley	Harp	Tarwater
Little	Wright	Harris	Taylor
		Hartzog	Tennant
		Heflin	Thornton
		Howington	Turner
		Hull	Vale
		Hunt	Voigt
		Isaacks	Waggoner
		Johnson of Tarrant	Westbrook
		Kennedy	Wilson
		Kersey	Wood

  

Absent		Nays—59	
Blankenship	Howard	Allison	Holland
Corry	Mays	Anderson	Johnson of Ellis
Dean	Monkhouse	Baker	Kern
Dickson	Petsch	of Fort Bend	Kerr
Donaghey	Riviere	Baker of Grayson	King
Dwyer	Shell	Bell	Langdon
Gilmer		Bond	Lehman
		Boyd	Little
		Bradbury	Lock
		Broadfoot	Mays
		Brown of Cherokee	Mohrmann
		Cleveland	Monkhouse
		Coleman	Montgomery
		Cornett	Morris
		Corry	Oliver
		Derden	Pevehouse
		Dickison	Piner
		Felty	Ragsdale
		Ferguson	Reader of Bexar
		Galbreath	Reader of Erath
		Gilmer	Reaves
		Goodman	Shell
		Hale	Skiles
		Hardeman	Smith of Frio
		Hardin	Smith of Hopkins
		Harper	Thornberry
		Harrell of Lamar	Vint

  

Absent—Excused		Nays—72	
Dowell	Keith	Allen	Bailey
Harrell of Bastrop		Alsop	Blankenship

  

The Chair announced that the motion to table prevailed.

Mr. Dickison offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 926, by striking out the figures now appearing in Section 2, line 4, and substituting in lieu thereof the following: "Vocational Home Economics, \$242,000.00".

DICKISON,  
SCHUENEMANN.

Mr. Thornton moved to table the amendment by Mr. Dickison.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Weldon  
Wells  
White

Winfree  
Worley  
Wright

Absent

Boyer  
Colson, Mrs.  
Dean  
Dickson  
Donaghey  
Dwyer  
Fielden

Howard  
Loggins  
McDonald  
Newell  
Nicholson  
Petsch  
Pope

Absent—Excused

Dowell  
Harrell of Bastrop

Keith

Mr. Derden offered the following amendments to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 926, by adding to the end of Section 2a the following:

"Provided that nothing herein shall prevent payments for the use of hospital equipment, bathing pools and physio-therapy."

DERDEN,  
McNAMARA.

Amend committee amendment No. 1 to House Bill No. 926, Section 2b, by striking out all of the last sentence of paragraph 1 thereof.

DERDEN,  
McNAMARA.

The amendments were severally adopted.

Mr. Baker of Fort Bend offered the following amendment to the committee amendment:

Amend Amendment to House Bill No. 296, Section 2, line 31, by striking out the words and figures "\$58,989.00" and insert in lieu thereof the words and figures "\$75,989.00".

Mr. Thornton moved to table the amendment by Mr. Baker of Fort Bend.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—76

Allen  
Alsup  
Anderson  
Blankenship  
Boethel  
Bond

Bradford  
Bray  
Brown  
of Nacogdoches  
Bundy  
Burkett

Burney  
Cauthorn  
Celaya  
Chambers  
Clark  
Cockrell  
Colquitt  
Crossley  
Daniel  
Davis of Jasper  
Davis of Upshur  
Dickison  
Fuchs  
Gilmer  
Goodman  
Hamilton  
Hankamer  
Harp  
Harper  
Harris  
Hartzog  
Heflin  
Howington  
Hull  
Hunt  
Isaacks  
Johnson of Tarrant  
Kennedy  
Kersey  
Kinard  
Leyendecker  
Little  
Loggins

London  
McAlister  
McDaniel  
McFarland  
McMurry  
McNamara  
Newell  
Nicholson  
Pace  
Reed  
Rhodes  
Riviere  
Roach  
Roberts  
Robinson  
Russell  
Segrist  
Smith  
of Matagorda  
Spencer  
Stoll  
Talbert  
Tarwater  
Taylor  
Tennant  
Thornton  
Turner  
Vale  
Voigt  
Waggoner  
Westbrook  
Wilson  
Wood

Nays—56

Allison  
Bailey  
Baker  
of Fort Bend  
Baker of Grayson  
Bell  
Boyd  
Bradbury  
Broadfoot  
Brown of Cherokee  
Cleveland  
Coleman  
Colson, Mrs.  
Cornett  
Dean  
Derdn  
Faulkner  
Ferguson  
Fielden  
Galbreath  
Gordon, Mrs.  
Hale  
Hardeman  
Hardin  
Harrell of Lamar  
Holland  
Howard  
Johnson of Ellis  
Kern

Kerr  
King  
Langdon  
Lehman  
Lock  
Mays  
Mohrmann  
Monkhouse  
Montgomery  
Morris  
Pevehouse  
Piner  
Reader of Bexar  
Reader of Erath  
Reaves  
Schuenemann  
Shell  
Skiles  
Smith of Frio  
Smith of Hopkins  
Thornberry  
Vint  
Weldon  
Wells  
White  
Winfree  
Worley  
Wright

## Absent

Boyer	McDonald
Bridgers	Oliver
Corry	Petsch
Dickson	Pope
Donaghey	Ragsdale
Dwyer	Stinson
Felty	

## Absent—Excused

Dowell	Keith
Harrell of Bastrop	

Mr. Roberts moved the previous question, on the committee amendment, and the engrossment of House Bill No. 926, and the main question was ordered.

On motion of Mr. Alsup, and by unanimous consent of the House, the totals in the bill were amended so as to conform to all changes and with the body of the bill.

Question recurring on the committee amendment, as amended, it was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 926 was then passed to engrossment.

## HOUSE BILL NO. 926 ON THIRD READING

Mr. Alsup moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 926 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Allen	Bradbury
Allison	Bradford
Alsup	Bray
Anderson	Bridgers
Bailey	Broadfoot
Baker	Brown of Cherokee
of Fort Bend	Brown
Baker of Grayson	of Nacogdoches
Bell	Bundy
Blankenship	Burkett
Boethel	Burney
Bond	Cauthorn
Boyd	Celaya
Boyer	Chambers

Clark	McFarland
Cleveland	McMurry
Cockrell	McNamara
Coleman	Mohrmann
Colquitt	Montgomery
Colson, Mrs.	Morris
Cornett	Newell
Crossley	Nicholson
Daniel	Oliver
Davis of Jasper	Pace
Davis of Upshur	Pevehouse
Derden	Piner
Dickison	Ragsdale
Faulkner	Reader of Bexar
Felty	Reader of Erath
Ferguson	Reaves
Fielden	Reed
Fuchs	Rhodes
Galbreath	Riviere
Gilmer	Roach
Gordon, Mrs.	Roberts
Hale	Robinson
Hamilton	Russell
Hankamer	Schuenemann
Hardeman	Segrist
Hardin	Shell
Harp	Skiles
Harrell of Lamar	Smith of Frio
Harris	Smith of Hopkins
Hartzog	Smith
Heflin	of Matagorda
Holland	Spencer
Howard	Stinson
Howington	Stoll
Hull	Talbert
Hunt	Tarwater
Isaacks	Taylor
Johnson of Tarrant	Tennant
Kennedy	Thornberry
Kern	Thornton
Kerr	Turner
Kersey	Vale
Kinard	Vint
King	Voigt
Langdon	Waggoner
Lehman	Weldon
Leyendecker	Wells
Little	Westbrook
Lock	White
Loggins	Wilson
London	Winfree
Mays	Wood
McAlister	Worley
McDaniel	Wright

## Absent

Corry	Harper
Dean	Johnson of Ellis
Dickson	McDonald
Donaghey	Monkhouse
Dwyer	Petsch
Goodman	Pope

## Absent—Excused

Dowell Keith  
Harrell of Bastrop

The Chair then laid House Bill No. 926 before the House on third reading and final passage.

The bill was read third time.

Mr. Thornton offered the following committee amendment to the bill:

Amend House Bill No. 926, by striking out all above the enacting clause, and substitute in lieu therefor the following:

“A BILL  
To Be Entitled

An Act appropriating the sum of Seven Hundred and Seventy Thousand (\$770,000.00) Dollars per year, or so much thereof as may be necessary for the next biennium beginning September 1, 1939, and ending August 31, 1941, from the General Revenue Fund for the purpose of promoting public school interests and assisting local districts in the teaching of vocational agriculture, home economics, trades and industries, general rehabilitation and rehabilitation for crippled children according to the Federal laws governing vocational education, all of which shall be matched by Federal funds; providing for the administration, attaching conditions, regulations and limitations relative thereto, making various allocations of said appropriation; providing all costs of administering funds named in this Act shall be paid out of moneys appropriated in this Act under authority of the State Superintendent of Public Instruction under the direction of the State Board of Education; defining the powers of the State Board of Education and the State Superintendent; providing no payments shall be made for professional services rendered to crippled children where the charge is made by hospital, institution or clinic; providing certain requirements for applications, and declaring an emergency.

The committee amendment was adopted.

House Bill No. 926 was then passed by the following vote:

Yeas—139

Allen Alsup  
Allison Anderson

Bailey	Kennedy
Baker	Kern
of Fort Bend	Kerr
Baker of Grayson	Kersey
Bell	Kinard
Blankenship	King
Boethel	Langdon
Bond	Lehman
Boyd	Leyendecker
Boyer	Little
Bradbury	Lock
Bradford	Loggins
Bray	London
Bridgers	Mays
Broadfoot	McAlister
Brown of Cherokee	McDaniel
Brown	McDonald
of Nacogdoches	McFarland
Bundy	McMurry
Burkett	McNamara
Burney	Mohrmann
Cauthorn	Monkhouse
Celaya	Montgomery
Chambers	Morris
Clark	Newell
Cleveland	Nicholson
Cockrell	Oliver
Coleman	Pace
Colquitt	Petsch
Colson, Mrs.	Pevehouse
Cornett	Piner
Crossley	Pope
Daniel	Ragsdale
Davis of Jasper	Reader of Bexar
Davis of Upshur	Reader of Erath
Derden	Reaves
Dickison	Reed
Dickson	Rhodes
Faulkner	Riviere
Felty	Roach
Ferguson	Roberts
Fielden	Robinson
Fuchs	Russell
Galbreath	Schuenemann
Gilmer	Segrist
Gordon, Mrs.	Shell
Hale	Skiles
Hamilton	Smith of Frio
Hankamer	Smith of Hopkins
Hardeman	Smith
Hardin	of Matagorda
Harp	Spencer
Harper	Stinson
Harrell of Lamar	Stoll
Harris	Talbert
Hartzog	Tarwater
Heflin	Taylor
Holland	Tennant
Howard	Thornberry
Howington	Thornton
Hull	Turner
Hunt	Vale
Isaacks	Vint
Johnson of Tarrant	Voigt

Waggoner	Wilson
Weldon	Winfree
Wells	Wood
Westbrook	Worley
White	Wright

## Absent

Corry	Dwyer
Dean	Goodman
Donaghey	Johnson of Ellis

## Absent—Excused

Dowell	Keith
Harrell of Bastrop	

HOUSE BILL NO. 933 ON SECOND  
READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 933, A bill to be entitled "An Act making an appropriation for the next biennium, for the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State; making allocations of said appropriation, setting forth the benefits thereof; authorizing aid to such schools in accordance with the conditions specified herein; providing for the maintenance for a certain length of term of all schools meeting the requirements of this Act; providing for the payment each year of the biennium of high school tuition for rural school pupils; providing for the payment of Transportation Aid under certain conditions; specifying the penalties for violation of any provision of this Act; declaring it to be unlawful for any agent or employee of the State to violate any provision of this Act, and prescribing the punishment therefor; providing all costs of administering funds named in this Act shall be paid out of moneys appropriated in this Act under authority of the State Superintendent of Public Instruction under the direction of the Supervisory Board as provided for in this Act; authorizing the State Superintendent of Public Instruction, under the direction of the Supervisory Board as provided for in this Act, to administer the funds appropriated herein; providing purposes for which funds appropriated hereunder may be used; providing for the method and manner of appointing certain em-

ployees; providing for application for aid, and declaring an emergency."

The bill was read second time.

Question—Shall House Bill No. 933 pass to engrossment?

## BILL ORDERED NOT PRINTED

(By unanimous consent)

On motion of Mr. Holland, Senate Bill No. 214 was ordered not printed.

TO EXTEND INVITATION TO  
ADDRESS THE HOUSE

Mr. Hardin offered the following resolution:

H. S. R. No. 238, To extend invitation to address the House.

Whereas, This House has invited a number of prominent citizens of Texas to address the House from time to time on subjects of their own choosing; and

Whereas, We have in our midst a young lady who is a constant visitor in the House of Representatives in the person of Mrs. E. J. Ferguson of Houston, Texas, who is an old settler in this State; therefore, be it

Resolved, That Mrs. E. J. Ferguson be invited to address the House at 11:00 a. m., Thursday, April 20th; and, be it further

Resolved, That Mrs. E. J. Ferguson be introduced by her distinguished friend and colleague, the Honorable Henry Lehman, of Lee County.

HARDIN,  
RHODES,  
FAULKNER.

The resolution was read second time.

Mr. Bell moved to refer the resolution to the Committee on State Affairs.

Mr. Faulkner moved to table the motion to refer.

The motion to table was lost.

Question then recurring on the motion to refer the resolution to the Committee on State Affairs, it prevailed.

## MESSAGE FROM THE SENATE

Austin, Texas, April 19, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has passed the following:

S. B. No. 437, A bill to be entitled "An Act to amend Acts of 1934, Forty-third Legislature, Second Called Session, page 162, Chapter 67, Vernon's Annotated Civil Statutes, Article 2688-b, . . . etc., so that said Act shall provide for an indeterminate term of office, not to exceed four (4) years, . . . etc., and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 437, to the Committee on State Affairs.

#### BILL AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bill and resolutions:

H. C. R. No. 104, Suspending Joint Rules of the House and Senate.

S. C. R. No. 13, To grant Edwin Marckwardt permission to sue the State.

S. C. R. No. 39, Recalling Senate Bill No. 69 from the Governor.

S. B. No. 50, "An Act amending Article 7057a of the Revised Civil Statutes of 1925, and declaring an emergency."

#### HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Talbert, Mr. Roach and Mr. Colquitt:

H. B. No. 995, A bill to be entitled "An Act providing that it shall be unlawful to kill quail in counties of a certain population except on certain days; providing the number of quail that can be killed in one day, and providing a penalty for violation of this Act."

Referred to the Committee on Game and Fisheries.

By Mr. Gilmer:

H. B. No. 996, A bill to be entitled "An Act applicable to the County of Kimble, State of Texas, providing the method for taking fish from the public waters of Kimble County, Texas; providing the daily bag limit of fish; providing for a closed season in said County; providing penalties, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Gilmer:

H. B. No. 997, A bill to be entitled "An Act applicable to the County of Kerr, State of Texas, providing the season for taking or attempting to take fish from the fresh public waters of said County, or the tributaries of said waters, and providing suitable penalty for violating any provision of this Act, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

Mr. Ferguson asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 998.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Ferguson:

H. B. No. 998, A bill to be entitled "An Act validating certain outstanding road and bridge time warrants of Rusk County, Texas, heretofore issued to provide funds for the construction of a connection between State Highway No. 26 and State Highway No. 259 in Commissioners' Precinct No. 1 of said County, said time warrants being in the amount of \$35,182.15, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

Mr. Westbrook asked unanimous consent, to introduce, at this time, and have placed on first reading House Bill No. 999.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Westbrook:

H. B. No. 999, A bill to be entitled "An Act to prohibit school trustees from soliciting, demanding or suggest-

ing the giving of a bribe for themselves, or for another; prescribing penalties for violation hereof, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

Mr. Gilmer asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 1000.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Gilmer:

H. B. No. 1000, A bill to be entitled "An Act applicable to the Counties of Mason, Menard, Kerr, Schleicher, Crockett, Sutton, Kimble, Real, Edwards, Blanco, Llano, Kendall, Gillespie, El Paso, Hudspeth, Culberson, Val Verde, Kinney, Maverick, Terrell and Brewster, State of Texas; requiring a Resident Hunting License of any resident citizen of this State hunting in said Counties, with certain exemptions; requiring a Resident Fishing License of any resident citizen of this State fishing in said Counties, with certain exemptions; providing that no such fishing license shall be necessary in salt water; providing for the remittance to the Game, Fish and Oyster Commission of all funds collected under the provisions of this Act and providing for the disposition of same; providing suitable penalties for violation of any provision of this Act; repealing all laws, in so far as they conflict with any provision of this Act; providing the rule of construction, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

#### RECESS

Mr. Faulkner moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Thornton moved that the House recess until 7:30 o'clock p. m., today.

The motion of Mr. Thornton prevailed, and the House, accordingly, at 5:00 o'clock p. m., took recess until 7:30 o'clock p. m., today.

#### NIGHT SESSION

The House met at 7:30 o'clock p. m., and was called to order by Mr. Leonard.

#### LEAVES OF ABSENCE GRANTED

(By unanimous consent.)

Mr. Schuenemann was granted leave of absence for this evening, on account of important business, on motion of Mr. Shell.

Mr. Montgomery was granted leave of absence temporarily for this evening, on account of important business, on motion of Mr. Heflin.

Mr. Colquitt was granted leave of absence for this evening, on account of illness, on motion of Mr. Worley.

Mr. Dwyer was granted leave of absence for this afternoon and this evening, on account of important business, on motion of Mr. Anderson.

Mr. Reaves was granted leave of absence temporarily for this evening, on account of illness, on motion of Mr. Harris.

Mr. Little was granted leave of absence for this evening, on account of important business, on motion of Mr. Boyer.

Mr. Wells was granted leave of absence temporarily for this evening.

#### SENATE BILL NO. 281 ON SECOND READING

Mr. Thornton asked unanimous consent of the House, to take up for consideration, at this time, Senate Bill No. 281.

There was no objection offered.

The Chair then laid before the House, on its second reading and passage to third reading,

S. B. No. 281, A bill to be entitled "An Act abolishing the office of State Reclamation Engineer; transferring to and vesting the functions in the Commissioner of the General Land Office; providing for the transfer of all officers and employees, the balances of appropriations, and all books, papers, records, property and pending business of the State Reclamation Department to the General Land Office, and declaring an emergency."

The bill was read second time.

Question recurring on the passage of Senate Bill No. 281 to third reading, yeas and nays were demanded.

The roll of the House was called and the vote announced, as follows:

Yeas—75

Allen  
Allison

Alsup  
Bailey

Baker of Grayson	King
Bell	Langdon
Boethel	Lehman
Bradbury	Leyendecker
Bray	Lock
Bridgers	Loggins
Broadfoot	London
Brown of Cherokee	McDaniel
Brown	McMurry
of Nacogdoches	Mohrmann
Burkett	Newell
Burney	Pace
Cauthorn	Pevehouse
Clark	Piner
Cockrell	Pope
Coleman	Reader of Erath
Colquitt	Reaves
Colson, Mrs.	Rhodes
Cornett	Roberts
Daniel	Robinson
Davis of Jasper	Russell
Derden	Shell
Dickson	Skiles
Ferguson	Smith of Frio
Fuchs	Spencer
Gilmer	Stoll
Gordon, Mrs.	Tarwater
Hardeman	Thornberry
Hardin	Thornton
Harrell of Lamar	Turner
Harris	Vale
Howington	Vint
Hunt	Waggoner
Johnson of Tarrant	Weldon
Kern	Westbrook
Kerr	Worley

## Nays—10

Boyd	Smith of Hopkins
Crossley	Smith
Faulkner	of Matagorda
Kersey	Stinson
Roach	Wells
Segrist	

## Present—Not Voting

Galbreath

## Absent

Anderson	Donaghey
Baker	Felty
of Fort Bend	Fielden
Blankenship	Goodman
Bond	Hale
Boyer	Hamilton
Bradford	Hankamer
Bundy	Harp
Celaya	Harper
Chambers	Hartzog
Cleveland	Heflin
Corry	Holland
Davis of Upshur	Howard
Dean	Hull
Dickison	Isaacks

Johnson of Ellis	Ragsdale
Kennedy	Reader of Bexar
Kinard	Reed
Mays	Riviere
McAlister	Taylor
McDonald	Talbert
McFarland	Tennant
McNamara	Voigt
Monkhouse	White
Morris	Wilson
Nicholson	Winfree
Oliver	Wood
Petsch	Wright

## Absent—Excused

Dowell	Little
Dwyer	Montgomery
Harrell of Bastrop	Schuenemann
Keith	

Mr. Harris raised the point of order, that there was not a quorum present.

The Chair sustained the point of order.

Mr. Thornton moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

On motion of Mr. Russell, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Colquitt
Allen	Colson, Mrs.
Allison	Cornett
Alsup	Corry
Anderson	Crossley
Bailey	Davis of Jasper
Baker	Davis of Upshur
of Fort Bend	Derden
Baker of Grayson	Dickison
Bell	Dickson
Boethel	Faulkner
Boyd	Felty
Bradbury	Ferguson
Bray	Fielden
Bridgers	Fuchs
Broadfoot	Galbreath
Brown of Cherokee	Gilmer
Brown	Goodman
of Nacogdoches	Gordon, Mrs.
Bundy	Hale
Burkett	Hardeman
Burney	Hardin
Cauthorn	Harp
Chambers	Harper
Clark	Harrell of Lamar
Cleveland	Harris
Cockrell	Heflin

Howington	Rhodes
Hull	Riviere
Hunt	Roach
Isaacks	Roberts
Johnson of Ellis	Robinson
Johnson of Tarrant	Russell
Kennedy	Segrist
Kern	Skiles
Kerr	Smith of Frio
Kersey	Smith of Hopkins
Kinard	Smith
King	of Matagorda
Lehman	Spencer
Leonard	Stinson
Leyendecker	Stoll
Lock	Talbert
London	Tarwater
McDaniel	Tennant
McMurry	Thornberry
McNamara	Thornton
Mohrmann	Turner
Montgomery	Vale
Morris	Vint
Newell	Waggoner
Oliver	Weldon
Pace	Wells
Pevehouse	Westbrook
Piner	White
Reader of Bexar	Wood
Reader of Erath	Worley
Reaves	Wright

## Absent

Blankenship	Mays
Bond	McAlister
Boyer	McDonald
Bradford	McFarland
Celaya	Monkhouse
Coleman	Nicholson
Daniel	Petsch
Dean	Pope
Donaghey	Ragsdale
Hamilton	Reed
Hankamer	Shell
Hartzog	Taylor
Holland	Voigt
Howard	Wilson
Langdon	Winfree
Loggins	

## Absent—Excused

Dowell	Keith
Dwyer	Little
Harrell of Bastrop	Schuenemann

The Chair announced that there was a quorum present.

Mr. Faulkner moved to postpone further consideration of Senate Bill No. 281 until 2:30 o'clock p. m., tomorrow.

On motion of Mr. Johnson of Tarrant, the motion to postpone was tabled.

Mr. Mays raised a point of order, on further consideration of Senate Bill No. 281, at this time, on the ground that there was not a quorum present at the time the bill was taken up.

The Chair overruled the point of order.

Senate Bill No. 281 was then passed to third reading.

## SENATE BILL NO. 281 ON THIRD READING

Mr. Bell moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 281 be placed on its third reading and final passage.

The roll of the House was called and the vote announced, as follows: Yeas, 113; Nays, 16.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called and the verified vote resulted, as follows:

## Yeas—113

Allen	Dickson
Allison	Donaghey
Alsop	Felty
Bailey	Ferguson
Baker	Fielden
of Fort Bend	Fuchs
Baker of Grayson	Gilmer
Bell	Goodman
Boethel	Gordon, Mrs.
Bond	Hale
Boyer	Hardeman
Bradbury	Hardin
Bray	Harp
Bridgers	Harper
Broadfoot	Harrell of Lamar
Brown of Cherokee	Harris
Brown	Hartzog
of Nacogdoches	Heflin
Bundy	Holland
Burkett	Howard
Burney	Howington
Cauthorn	Hull
Chambers	Hunt
Clark	Isaacks
Cleveland	Johnson of Ellis
Cockrell	Johnson of Tarrant
Coleman	Kennedy
Colquitt	Kern
Colson, Mrs.	Kerr
Cornett	Kersey
Corry	Kinard
Crossley	King
Davis of Upshur	Lehman
Derden	Leyendecker

Lock	Skiles
Loggins	Smith of Frio
London	Smith
McAlister	of Matagorda
McMurry	Spencer
McNamara	Stoll
Mohrmann	Talbert
Montgomery	Tarwater
Morris	Tennant
Newell	Thornton
Oliver	Turner
Pace	Vale
Pevehouse	Vint
Piner	Voigt
Pope	Waggoner
Reader of Bexar	Weldon
Reader of Erath	Wells
Reaves	Westbrook
Rhodes	White
Riviere	Wilson
Roberts	Winfree
Robinson	Wood
Russell	Worley
Shell	Wright

## Nays—14

Blankenship	McDonald
Boyd	Reed
Dickison	Roach
Faulkner	Segrist
Hamilton	Smith of Hopkins
Mays	Stinson
McDaniel	Thornberry

## Present—Not Voting

Anderson

## Absent

Bradford	Langdon
Celaya	McFarland
Daniel	Monkhouse
Davis of Jasper	Nicholson
Dean	Petsch
Dowell	Ragsdale
Galbreath	Taylor
Hankamer	

## Absent—Excused

Dwyer	Little
Harrell of Bastrop	Schuenemann
Keith	

The Chair announced that the motion to suspend the constitutional rule, prevailed.

The Chair then laid Senate Bill No. 281 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—113

Allen	Alsup
Allison	Anderson

Bailey	Johnson of Tarrant
Baker	Kennedy
of Fort Bend	Kern
Baker of Grayson	Kerr
Bell	Kinard
Boethel	King
Bond	Langdon
Boyer	Lehman
Bradbury	Leyendecker
Bray	Lock
Bridgers	Loggins
Broadfoot	London
Brown of Cherokee	McMurry
Brown	McNamara
of Nacogdoches	Mohrmann
Bundy	Morris
Burkett	Newell
Burney	Oliver
Cauthorn	Pace
Chambers	Pevehouse
Clark	Piner
Cleveland	Pope
Cockrell	Ragsdale
Coleman	Reader of Bexar
Colquitt	Reader of Erath
Colson, Mrs.	Reaves
Cornett	Rhodes
Corry	Riviere
Crossley	Roberts
Davis of Jasper	Robinson
Davis of Upshur	Russell
Derden	Shell
Dickson	Skiles
Donaghey	Smith of Frio
Felty	Smith
Ferguson	of Matagorda
Fielden	Spencer
Fuchs	Stoll
Galbreath	Talbert
Gilmer	Tarwater
Goodman	Taylor
Gordon, Mrs.	Tennant
Hale	Thornton
Hardeman	Turner
Harp	Vale
Harper	Vint
Harrell of Lamar	Voigt
Harris	Waggoner
Hartzog	Weldon
Heflin	Wells
Holland	Westbrook
Howard	White
Howington	Wilson
Hunt	Winfree
Isaacks	Worley
Johnson of Ellis	Wright

## Nays—15

Blankenship	McAlister
Boyd	McDaniel
Bradford	Montgomery
Faulkner	Reed
Hamilton	Roach
Mays	Segrist

Smith of Hopkins Thornberry  
Stinson

Absent

Celaya	Kersey
Daniel	McDonald
Dean	McFarland
Dickison	Monkhouse
Hankamer	Nicholson
Hardin	Petsch
Hull	Wood

Absent—Excused

Dowell	Keith
Dwyer	Little
Harrell of Bastrop	Schuenemann

Mr. Bell moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 933 ON PASSAGE TO ENGROSSMENT

The Chair laid before the House, as pending business, on its passage to engrossment, House Bill No. 933, making certain appropriation for equalizing the educational opportunities afforded by the State, etc.

The bill having been read second time, on this afternoon.

Mr. Alsup offered the following committee amendment to the bill:

Amend House Bill No. 933, by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. Appropriation. For the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State, there is hereby appropriated out of the General Revenue Fund Five Million, Six Hundred and Thirty Thousand (\$5,630,000.00) Dollars, or so much thereof as may be necessary, for the school year ending August 31, 1940, and Five Million, Six Hundred and Thirty Thousand (\$5,630,000.00) Dollars, or so much thereof as may be necessary, for the school year ending August 31, 1941; to be allotted and expended by the State Superintendent of Public Instruction, under the direction and advice of a special Senate-House Advisory committee composed of the following Members: three (3) Members of the Senate to be appointed by the President of the Senate and three (3)

Members of the House of Representatives to be appointed by the Speaker of the House of Representatives; said Members to be reimbursed for their actual and necessary expenses from the Contingent Expense Fund of the House of the respective Members; providing that any unexpended balance occurring at the end of the year 1940, in any allocation, may be transferred and added to the appropriation for the year ending August 31, 1941.

Sec. 2. Scholastic Population of the District. State aid under the provisions of this Act shall be distributed in such a way as to assist all school districts of not fewer than twenty (20) enumerated scholastics and not more than five hundred (500) enumerated, and consolidated and/or rural high school districts which have an average of not more than two hundred (200) scholastics of each original district composing the consolidated and/or rural high school districts unit, and all districts composed of entire counties having a scholastic population of less than five thousand (5,000); provided that schools in sparsely settled counties may be exempt from the minimum restrictions of twenty (20) enumerated scholastics, as hereinbefore provided that in such cases the district applying for aid shall be levying and collecting the limit of local tax support as provided by general law, this limit to be One (\$1.00) Dollar on the One Hundred (\$100.00) Dollars of property valuation in the entire district. Sparsely settled counties shall be defined as those having less than one thousand, four hundred (1,400) scholastic population in the common school districts. It is further provided that the minimum and maximum scholastic limits herein provided shall not apply for any type of aid to school districts containing forty-eight (48) square miles of territory or more, or which are nine (9) miles or more in length, provided there is not situated in such a district an incorporated city or town having a population of more than thirty-six hundred (3,600) inhabitants, according to the last preceding Federal Census.

Sec. 3. Distance Between Schools. No aid shall be granted to any school under the provisions of this Act which is located within two and one-half (2½) miles of another school of the same race, unless on account of the

conditions of the roads and other physical features it is unreasonable and impracticable for the pupils to attend another school; provided that this restriction shall not apply to elementary school in a consolidated and/or rural high school district nor to any district which at some previous election has voted to remove such conditions by consolidation.

Sec. 4. Teacher-Pupil Load. All types of State aid under the provisions of this Act shall be allotted upon the basis of the tax valuations the next last preceding year and the net scholastic census report as approved by the Department of Education the next last preceding year. One teacher may be granted for any number of scholastics from twenty (20) to thirty-five (35) scholastics and one (1) additional teacher for each additional thirty (30) scholastics, or fractional part thereof, residing in the district. It is expressly provided that in the event pupils are transferred into the district the excess fractional part thereof shall not be less than six (6) scholastics. For example, the "fractional part thereof" is to be interpreted as follows: twenty (20) net scholastics, one (1) teacher; forty-five (45) net scholastics, two (2) teachers; seventy-five (75) net scholastics, three (3) teachers; etc. The basis for calculation shall be the net scholastic enumeration of white or colored race, as the case may be, including the transfers into the district, and excluding the transfers out of the district, provided such transfers are from districts eligible to receive aid under Section 6 of this Act for the current year, and provided further that no transfers shall count on the teacher-pupil load if the pupils who applies for transfer can get his grade offered in his home district; and here shall be deducted all scholastics who have completed the course of study in their home school, as authorized by the County Board of Education, provided that where unusual or extraordinary conditions cause an actual increase in enrollment, an adjustment as to the number of teachers may be made by the State Superintendent, with the approval of the Senate-House Advisory Committee named above, not to exceed the teacher-pupil load provided herein; provided further that such extraordinary conditions causing increase in enrollment

must be cited as some unusual economic condition not existing in the community or district the next preceding year, for example an oil field would be considered an unusual condition. A condition of unusual enrollment may be said to exist when and if the average attendance of a school reaches a point in excess of the net scholastics remaining in the district after transfer. Under no conditions shall aid be granted for teachers in excess of the teacher-pupil load based on the average daily attendance for a period of at least five (5) consecutive months; provided further that under no conditions shall aid be granted any district in excess of the number of teachers actually contracted for and employed.

Sec. 5. Average Daily Attendance. No school shall be granted salary aid under the provisions of this Act whose average daily attendance is less than seventy-five (75) per cent of the scholastic census enumeration, net, for either white or colored school. Provided, the provisions of this Act shall not apply to any school where there is any kind of epidemic of sickness, and such exemption may be allowed only when the facts are determined and certified to by the County or State District Health Officer residing in the area affected. Districts where parochial schools are maintained are exempt from the provisions of this Section.

Sec. 6. Tax Levy. No school district shall be eligible to receive aid under the provisions of this Act unless it shall be providing for the annual support of its schools by voting, levying, and collecting for the current year a local maintenance tax, inclusive of the tax for interest and sinking fund for bonds, of not less than fifty cents (50c) on the One Hundred (\$100.00) Dollars of property valuation in the entire district; and providing further, that the property valuation shall not be less than said property is valued for State and county purposes. All income from a maintenance tax exceeding the required fifty cents (50c) maintenance tax may be used at the discretion of the local school authorities of the district for any lawful purpose other than to increase salaries of teachers above the approved salary schedule. Any or all maintenance tax above fifty cents (50c) shall not be included

in the calculation of need for aid. Of the above fifty cents (50c) local maintenance assessment, an estimated one hundred per cent (100%) collection shall be used in calculation of revenue for State aid purposes; and provided further that the provisions of this Section shall apply to sending districts for each of the years covered by this allocation.

Sec. 7. Salary Schedule. No part of the aid herein provided shall be used for increasing the monthly salary of any teacher, except as herein authorized, and funds provided for in this Act shall be used for the exclusive purpose of extending the length of the school term of the schools situated in the district receiving such aid on the basis of a teacher's salary schedule as determined by the State Superintendent and the Senate-House Advisory Committee; provided that this schedule shall not exceed in any point that set-up and approved by the State Board of Education for the school year 1938-39; and provided further that no salary shall be paid for more than nine (9) months except Superintendents of accredited schools entitled to eight (8) teachers or more under Section 4 of this Act.

Sec. 8. Length of Term. All schools of the unaffiliated class receiving aid shall provide a term of approximately eight (8) months. These schools shall be so classified by the County Board of Education so as to provide as nearly as possible an eight months term out of State, county and local funds. Should there not be sufficient funds to maintain the schools as herein stated, then aid may be granted subject to all provisions of this Act. Should any school district eligible to receive aid under the provisions of this Act maintain a salary schedule in excess of the salary schedule as determined by the above mentioned authorities, the amount of aid received by such school district shall be reduced by the amount of such excess. All schools of the affiliated class shall be granted aid in like manner except on the basis of nine (9) months of operation. Nothing in this Act shall be construed as forcing the consolidation of any schools, nor shall any aid be withdrawn from any school for its failure to consolidate.

Sec. 9. High School Tuition. It is hereby expressly provided that a sufficient amount of funds allocated by this Act shall be used for the payment of high school tuition not to exceed Seven Dollars and Fifty Cents (\$7.50) per pupil per month, and in no instance shall more than five (5) months tuition be paid for any one (1) pupil on the census roll of any one (1) school year; and provided further in no instance shall more than Fifty-two Dollars and Fifty Cents (\$52.50) be paid for any one (1) pupil any one (1) year. High school tuition shall be paid according to the provisions of House Bill No. 158, General Laws, Regular Session, Forty-fourth Legislature, as amended, and subject to the limitation and restriction provided in this Act for each of the years of this biennium. In the event a receiving high school has its budget balanced with salary aid, there shall be deducted from the salary aid grant of such school any amount of tuition collected from sending districts, and all such collections shall be included in the revenues section of the State Aid Application. Such revenues shall include the total tuition received for the preceding school year by such school districts. In no event shall any salary aid school receive tuition aid in an amount which together with the salary aid granted exceed the budgetary need as indicated by the approved State Aid application. It is further provided that high school tuition aid, as above set out, shall be granted for pupils transferred to outside high schools for the Waco State Home at Waco and the State Training School for Boys at Gatesville, provided the aid so granted shall not exceed the per capita tuition charged other schools' transferred high school pupils by the high schools affected hereby.

Sec. 10. Transportation Aid. The County Superintendents and County School Boards of the several counties of this State, subject to the approval of the State Director of Equalization, in the State Department of Education, are hereby authorized to set up the most economical system of transportation possible for the purpose of transporting both grade and high school pupils from their districts, and within their districts. The expense of such transportation shall be paid on the basis of budgetary need as indicated

by approved State aid application, out of the funds herein allocated for transportation aid, not to exceed Two (\$2.00) Dollars per month per pupil for those attending the most convenient accredited high school and not more than One (\$1.00) Dollar per month per pupil for those transported to classified elementary schools; provided that if there be no convenient accredited high school, that such pupil may obtain like aid under the provisions of this Section when attending any near high school of higher classification than the sending district when designated by the County Board. In no instance may aid be granted for pupils transported who attend a grade in another school which grade is taught in such pupil's home district. Aid shall not be granted under any provision of this Section unless the pupil so transported actually resides more than two and one-half (2½) miles from the school receiving such pupil.

Sec. 11. Allocation of Appropriation. All expenditures for costs of administering the various funds named in this Act shall be paid out of the moneys allocated in this Act, and there shall be set aside for administration costs Two Hundred and Fifty Thousand (\$250,000.00) Dollars, to be used by the Equalization Division of the State Department of Education, and Ten Thousand (\$10,000.00) Dollars to be used to pay the State Auditor for auditing grants after they are approved by the Director of Equalization.

It is hereby specifically provided that out of the money appropriated in Section 1 of this Act, the sum of Two Million, Nine Hundred and Eighty Two Thousand, Two Hundred and Ten (\$2,982,210) Dollars is hereby set aside for teacher salary aid; Seven Hundred and Forty Seven Thousand, Six Hundred and Seventy (\$747,670) Dollars for High School tuition; One Million, Seven Hundred and Seventy Thousand and One Hundred and Twenty (\$1,770,120) Dollars for transportation aid; each of the above named allocations being for each year of the biennium.

Sec. 12. Powers of the State Superintendent and State Department of Education. It shall be the duty of the State Superintendent and the Department of Education to take such action and make such rules and regulations

not inconsistent with the terms of this Act as may be necessary to carry out the provisions and intentions of this Act; such rules and regulations shall be regarded as a part of the equalization law. It shall be the duty of the State Superintendent to appoint the number of deputy State superintendents hereinafter authorized to make a thorough investigation, in person, of the grounds, building, equipment, teaching staff and financial condition of each school applying for aid; and no aid shall be granted unless it can be shown that all provisions of this Act have been complied with, and that such amount of aid is actually needed as shown by the State aid application. Provided further, that the State Superintendent shall appoint not to exceed one (1) director of rural aid; one (1) executive secretary of rural aid; one (1) chief rural aid accountant and four (4) assistant accountants; one (1) porter; two (2) stenographers; twenty-four (24) deputy State superintendents. The twenty-four (24) deputies shall reside in their respective supervisory districts. The salaries and traveling expense of the herein named employees only shall be paid for out of the moneys herein appropriated, and not other salary or expenditure shall be paid from the appropriations of this Act.

Sec. 13. Application for Aid. The trustees of the schools authorized to apply for Aid under the provisions of this Act may send to the proper authorized authority on forms provided by said authority a list of the teachers employed in the schools, showing the monthly salary, experience, and training of each, together with an itemized statement of budgeted receipts, and expenditures, the length of term, and such other information as may be required, and the State Superintendent, with the advice of the Advisory Committee above-named, may, subject to the provisions of this Act, grant to the school such an amount of this fund as will, with the State and County available funds, together with the local funds, maintain the school for a term not to exceed nine (9) months for classified or affiliated high schools and approximately eight (8) months for unaccredited high schools; provided that if the school has sufficient State and County available funds to maintain the school for an eight (8) months term according to the salary schedule adopted,

or with its local maintenance tax, to maintain the desired length of term, not to exceed nine (9) months, as provided in Section 2, it shall not be eligible to receive aid; provided further, that the county superintendent shall approve all contracts with teachers before such schools may be eligible to receive aid under any provisions of this Act. Provided that all aid granted out of the funds herein provided shall be allotted only on the basis of need, based upon a proper budgeting of each district asking for any form of aid. The application shall be sworn to by the president and secretary of the board of trustees of each of the schools applying for aid. The county superintendent shall approve all contracts with teachers, supervising officers, and bus drivers in all schools applying for aid of any type. All aid granted out of the funds provided shall be allotted only on the basis of need based upon an approved budget of each district asking for any form of aid except as otherwise provided in this Act. All applications for aid shall be filed with the Director of Equalization, State Department of Education, Austin, Texas. Applications for the first year of the biennium shall be on file with the above-named authority not later than July 15, 1939, and for the second year of the biennium not later than April 1, 1940. Any school not complying with the above-named dates shall not be eligible for any type of aid. Provided further, each application shall, if the amount of money available is not sufficient to pay all approved applications in full, receive the same proportion of aid as every other approved application. It is further provided, that the application for aid (including high school tuition) for any current year shall not be approved in an amount in excess of the amount of money available during such current year for all types of aid herein provided for. Even though the application for aid, on a basis of need, should exceed the amount of money available during such current year for all types of aid, then each application shall be proportionately reduced so that the total of all approved applications for such current year will not exceed the amount of money available for said year for all types of aid.

Sec. 14. Sparsely Settled Districts Defined. A sparsely settled district, as referred to in Section 2 hereof and

as herein defined, is a school district within a county having less than one thousand, four hundred (1,400) scholastics enumerated within all of such county's common school districts and such district having less than twenty (20) enumerated scholastics therein, and such district so defined, when applying for aid, and having, levying, and collecting a tax as provided in Section 6 hereof, may be exempt from the minimum teacher-pupil load, and in no instance shall the exemption be extended or applicable to any district employing more than one (1) teacher; provided, however, the State Superintendent may grant aid for not more than one (1) teacher for any such common school district.

Sec. 15. Disbursement. Warrants for all money granted under the provisions of this Act shall be transmitted by the State Superintendent, when the account for same has been audited and approved by the State Auditor, to the treasurers of depositories of school districts to which aid is granted and approved, in the same manner as warrants for State apportionments are now transmitted. The amount of money granted for each type of aid except high school tuition shall be set up as a separate account by the district receiving same and disbursement from said accounts shall be made only for the specific purpose for which the money was granted. If the money in said fund is used for any purpose other than that for which allocated, then said district shall not be eligible to receive any type of aid for the succeeding year; and it shall be the duty of all treasurers of depositories to make annual itemized reports under oath to the Director of Equalization of the expenditures of all money granted under provisions of this Act as herein directed, not later than September 10 of each year. It shall also be the duty of each county school superintendent, and each secretary of the school board of an independent school district, to file with said proper authority, before September 10 of each year, a sworn account detailing the receipts and disbursements of all Rural Aid funds, with correct cash balance on August 31, verified by the depository clerk. Failure to file such reports will make such district ineligible to receive aid for the ensuing year. It is provided that all unused obligated balances in Rural Aid funds in any district on August 31, shall be returned to the

State Treasurer and by him credited to the appropriation from which it came; provided, however, that the balances herein providing for the return of moneys shall be subject to the obligation of district holding claims against that fund and subject to re-apportionment of the obligation of the receiving district thereof.

As soon after applications are filed in Austin, calculations shall be started as to the amount of aid each school shall be entitled to, and as soon after October 1 as possible, there shall be sent out a warrant for the full amount of the aid grant on salary. As soon as possible after high school tuition reports are filed, there shall be sent a warrant for fifty (50) per cent of the claims due. Within three months, or as soon thereafter as possible, there shall be paid the remaining amounts. After final payment is made on all types of aid, each district shall file with the Director of Equalization a signed receipt acknowledging full payment of their approved claim, or request. It is provided that any amount set aside for schools not having reached seventy-five (75) per cent average daily attendance shall be prorated among the schools eligible to receive aid on the final payment.

Sec. 15-a. Provided the State Superintendent shall take into consideration, in fixing allowances to school district, any loss sustained by said district by reason of the Federal Government buying lands for National forests, and by reason of the location in said districts of University Lands, and the State Superintendent shall be authorized to make allocations to said districts by virtue of leases sustained by said district by reason of Federal purchase of lands, the amounts to be fixed by the State Superintendent based upon existing facts and circumstances applicable to all other school districts, and in all exceptions provided herein the consent of the State Board of Education shall be first had and obtained.

Sec. 16. State Auditor. The State Auditor's office is hereby directed to audit all applications for aid after same have been passed on by the Director of Equalization, and when such application has been approved by said Director it shall then be the duty of the State Auditor to approve or reject such application before same is presented to the State Superintendent and Advisory Committee for payment.

Sec. 17. Miscellaneous Provisions. Rural schools accepting the provisions of this Act shall be entitled to share, subject to the limitations of this Act, in the distribution of State and County Available School Funds and in all other school funds as may herein be provided; provided, however, that no school or school district shall be denied aid for failure or refusal to buy any book, charts, or school supplies offered by any person, firm, or corporation unless such equipment is required in the rules and regulations of the State Department of Education. And it is further provided that it shall be the duty of the County Superintendent to receive and check all high school tuition applications to determine the following facts: age of the pupil, the district in which he was enumerated, the district in which he lives, the district in which he attends school, the grade in which the pupil is classified in the receiving district, the highest grade taught in the home district of the pupil, the amount of time the pupil was in actual attendance at the receiving school, and the rate and free time allowed the pupil by the receiving high school. When such application has been reviewed and checked as herein provided, same shall be properly certified to by such county superintendent, and the president and/or secretary of the school board of the sending district of the pupil, before said application is transmitted to the Director of Equalization at Austin, Texas, for his inspection, rejection, modification, or approval; and no application shall be considered by the Director of Equalization for payment unless same has been duly deposited with him at Austin, Texas, on or before June 15 of each year of the biennium; provided further, that the officials of the sending district or the county superintendent shall furnish the superintendent or the secretary of the school board of the receiving school a copy of the budget required by the State Department for establishing the eligibility of the sending district for having the State pay tuition on its high school scholastics.

Sec. 18. Penalty Provision. Any district violating any of the provisions of this Act shall forfeit all rights to such aid and may be disqualified to receive any aid of any nature under any Section of this Act for the current year. Should any school which would otherwise be eligible to receive aid

agree, provide, or contract with teachers to pay a smaller monthly salary during the remainder of the terms following the granting of aid, provided out of local funds, than is paid out of State funds, then such school shall forfeit its rights to receive aid. Provided, any census trustee who shall wilfully make any false report in his roll or summary shall forfeit the right of the district he serves to receive any amount of money that may be provided for in this Act.

It is specifically provided herein that the State Superintendent or any agency charged with the responsibility of administering the funds hereby appropriated shall not pledge the State in excess of the amount herein appropriated, and it is the sense of Legislature that the amounts herein appropriated shall cover in full all amounts to be spent for the purpose contemplated by this Act for the period covered by this Act. Whoever violates this provision of this Section shall be deemed guilty of a misdemeanor, involving official misconduct, and, upon conviction thereof shall be fined in a sum not less than Two Hundred (\$200) Dollars nor more than One Thousand (\$1,000), Dollars, and shall be subject to removal from office.

Provided that the tax provisions shall not apply to the school where the Alabama Indians attend school in Polk County, Texas.

Sec. 19. Repealing and Constitutional Clauses. All laws or parts of laws in conflict herewith are hereby repealed, and in the event any provision of this Act is declared unconstitutional or invalid by any court of a competent jurisdiction, the remainder of this Act shall nevertheless remain in full force and effect.

Sec. 20. Emergency Clause. The fact that many schools are in need of additional aid other than State per capita apportionment and local maintenance, and the public policy requires that proper provisions be made for the maintenance and support of the schools with as little delay as possible, and the further fact that considerable time is required in preparation for carrying out the terms of this Act, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days, be, and the same is hereby suspended, and this Act shall take effect and be in

force from and after July 15, 1939, and it is so enacted."

ALSUP,  
THORNTON.

Mr. Talbert moved that the House recess until 10:00 o'clock a. m., tomorrow.

The motion was lost.

Mr. Fielden moved that House Bill No. 933 be considered Section by Section.

On motion of Mr. Boethel, the motion by Mr. Fielden was tabled.

Mr. Alsop offered the following amendment to the committee amendment:

Amend House Bill No. 933, in Section 6, line 9, page 4, by striking out the word "inclusive", and inserting in lieu therefor the word "exclusive".

The amendment was adopted.

Mr. Fielden offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 933, page 1, by striking out the words and figures "\$5,630,000.00" in lines 16 and 17, and same words and figures in lines 19 and 20, and insert in lieu thereof the words and figures "\$6,250,000.00".

FIELDEN,  
WORLEY.

Mr. Morris moved to table the amendment by Mr. Fielden.

The motion to table prevailed.

Mr. Kern offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 933, page 2, by striking out all of Section 4, and inserting in lieu thereof the following Section 4:

"Sec. 4. Teacher-Pupil Load. State aid under provisions of this Act shall be allotted upon the basis of one teacher for any number of scholastics from twenty (20) to thirty-five (35) and one (1) additional teacher for each additional thirty (30) scholastics, or fractional part thereof, residing in the district. It is expressly provided that in the event pupils are transferred into the district the excess fractional part thereof shall not be less than two (2) scholastics. The basis for calculation shall be the net scholastic enumeration of white or colored race, as the case may be, in-

cluding the transfers into the district, and excluding the transfers out of the district for the current year and there shall be deducted all scholastics who have completed the course of study in their home school, as authorized by the County Board of Trustees, provided that in unusual or extraordinary conditions of actual enrollment, an adjustment as to the number of teachers may be made by the State Superintendent, with the approval of the State Board of Education."

KERN,  
CORNETT,  
LEHMAN,  
FIELDEN.

(Speaker in the Chair.)

Mr. London moved to table the amendment by Mr. Kern.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced, as follows: Yeas, 63; Nays, 67.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted, as follows:

#### Yeas—62

Allen	Hull
Alsup	Hunt
Anderson	Johnson of Tarrant
Baker	Kersey
of Fort Bend	Kinard
Bell	Leyendecker
Boethel	London
Bond	McAlister
Boyd	McDaniel
Bray	McDonald
Bridgers	McMurry
Brown	McNamara
of Nacogdoches	Morris
Bundy	Newell
Burkett	Piner
Burney	Reader of Bexar
Cauthorn	Reed
Celaya	Riviere
Colquitt	Robinson
Corry	Segrist
Dickson	Shell
Donaghey	Smith of Frio
Felty	Smith
Fuchs	of Matagorda
Gilmer	Stinson
Gordon, Mrs.	Stoll
Hankamer	Tarwater
Hardeman	Thornberry
Hartzog	Thornton
Howard	Vale

Vint  
Voigt  
Waggoner

Wilson  
Wood

#### Nays—67

Allison	Holland
Bailey	Howington
Baker of Grayson	Kennedy
Blankenship	Kern
Boyer	Kerr
Bradbury	King
Broadfoot	Langdon
Brown of Cherokee	Lehman
Chambers	Lock
Clark	Loggins
Cleveland	Mays
Cockrell	Mohrmann
Coleman	Oliver
Colson, Mrs.	Pace
Cornett	Pevehouse
Crossley	Pope
Daniel	Reader of Erath
Davis of Jasper	Reaves
Davis of Upshur	Roach
Dean	Roberts
Derden	Russell
Dickison	Skiles
Faulkner	Spencer
Ferguson	Smith of Hopkins
Fielden	Talbert
Galbreath	Turner
Goodman	Weldon
Hale	Wells
Hamilton	Westbrook
Hardin	White
Harp	Winfree
Harper	Worley
Harrell of Lamar	Wright
Harris	

#### Absent

Bradford	Nicholson
Heflin	Petsch
Isaacks	Ragsdale
Johnson of Ellis	Rhodes
McFarland	Taylor
Monkhouse	Tennant

#### Absent—Excused

Dowell	Little
Dwyer	Montgomery
Harrell of Bastrop	Schuenemann
Keith	

The Speaker announced that the motion to table was lost.

Mr. Alsup offered the following substitute for the amendment by Mr. Kern:

Substitute for Kern amendment, by amending House Bill No. 933, Section 4, page 3, line 1, by striking out the words and figures "six (6)", and insert in lieu thereof the words and

figures "four (4)"; and by striking out the words and figures "forty-five (45)" in line 3, page 3, and insert in lieu thereof the words and figures "thirty-nine (39)"; and by striking out the words and figures "seventy-five (75)" in line 4, page 3, and insert in lieu thereof the words and figures "sixty-nine (69)".

ALSUP,  
LONDON,  
MORRIS,  
KING.

Mr. Fielden moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

The motion was lost.

Mr. Fielden moved to table the substitute amendment by Mr. Alsop.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—58

Allison	Kennedy
Bailey	Kern
Baker of Grayson	Kerr
Blankenship	Langdon
Boyer	Lehman
Broadfoot	Lock
Brown of Cherokee	Loggins
Chambers	Mays
Cockrell	Oliver
Coleman	Pace
Colson, Mrs.	Petsch
Cornett	Pevehouse
Davis of Jasper	Ragsdale
Davis of Upshur	Roach
Dean	Roberts
Derden	Russell
Faulkner	Skiles
Ferguson	Spencer
Fielden	Smith of Hopkins
Galbreath	Talbert
Goodman	Turner
Hale	Vint
Hamilton	Weldon
Hardeman	Wells
Hardin	Westbrook
Harp	White
Harper	Winfree
Harrell of Lamar	Worley
Howington	Wright

Nays—67

Allen	Boyd
Alsop	Bradbury
Baker	Bray
of Fort Bend	Bridgers
Bell	Brown
Boethel	of Nacogdoches
Bond	Bundy

Burkett	McDonald
Burney	McMurry
Cauthorn	McNamara
Celaya	Mohrmann
Cleveland	Morris
Corry	Newell
Crossley	Piner
Dickison	Reader of Bexar
Dickson	Reader of Erath
Donaghey	Reed
Felty	Rhodes
Fuchs	Riviere
Gilmer	Robinson
Gordon, Mrs.	Segrist
Hankamer	Shell
Harris	Smith
Hartzog	of Matagorda
Howard	Stinson
Hull	Stoll
Hunt	Tarwater
Johnson of Tarrant	Tennant
Kersey	Thornberry
King	Thornton
Leonard	Vale
Leyendecker	Voigt
London	Waggoner
McAlister	Wilson
McDaniel	Wood

Absent

Anderson	Kinard
Bradford	McFarland
Clark	Monkhouse
Daniel	Nicholson
Heflin	Pope
Holland	Schuenemann
Isaacks	Smith of Frio
Johnson of Ellis	Taylor

Absent—Excused

Colquitt	Keith
Dowell	Little
Dwyer	Montgomery
Harrell of Bastrop	Reaves

Mr. Reader of Bexar moved the previous question, on the pending amendments, and the engrossment of House Bill No. 933, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Mays moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question recurring on the motion to adjourn, yeas and nays were demanded.

The roll of the House was called, and the vote announced, as follows: Yeas, 67; Nays, 71.

Mr. Mays requested a verification of the vote.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted, as follows:

## Yeas—59

Allison	Hunt
Anderson	Kennedy
Baker of Grayson	Kerr
Blankenship	Lehman
Boethel	Leonard
Boyer	Leyendecker
Broadfoot	Mays
Brown	McMurry
of Nacogdoches	Mohrmann
Celaya	Montgomery
Clark	Oliver
Cockrell	Pace
Crossley	Reader of Bexar
Davis of Jasper	Reed
Davis of Upshur	Roach
Dean	Smith of Frio
Dickison	Smith of Hopkins
Donaghey	Spencer
Faulkner	Talbert
Ferguson	Tarwater
Fielden	Tennant
Galbreath	Turner
Gilmer	Vint
Hardin	Voigt
Harp	Waggoner
Harper	Weldon
Harrell of Lamar	Wells
Harris	Westbrook
Holland	Winfree
Howington	Worley

## Nays—62

Allen	Hamilton
Alsup	Hankamer
Bailey	Hardeman
Baker	Hartzog
of Fort Bend	Howard
Bell	Hull
Bond	Johnson of Tarrant
Boyd	Kern
Bradbury	Kersey
Bray	King
Bridgers	Langdon
Brown of Cherokee	Loggins
Bundy	London
Burkett	McAlister
Burney	McDaniel
Cauthorn	McDonald
Chambers	McNamara
Cleveland	Morris
Coleman	Newell
Colson, Mrs.	Pope
Cornett	Reader of Erath
Corry	Roberts
Derden	Robinson
Felty	Russell
Fuchs	Segrist
Gordon, Mrs.	Shell
Hale	Skiles

Smith	Thornton
of Matagorda	Vale
Stinson	Wilson
Stoll	Wood
Thornberry	Wright

## Absent

Bradford	Monkhouse
Daniel	Nicholson
Dickson	Petsch
Goodman	Pevehouse
Heflin	Piner
Isaacks	Ragsdale
Johnson of Ellis	Rhodes
Kinard	Riviere
Lock	Taylor
McFarland	White

## Absent—Excused

Colquitt	Keith
Dowell	Little
Dwyer	Reaves
Harrell of Bastrop	Schuenemann

The Speaker announced that the motion to adjourn was lost.

Question recurring on the substitute amendment by Mr. Alsup, yeas and nays were demanded.

The substitute amendment was adopted by the following vote:

## Yeas—66

Allen	Harper
Alsup	Hartzog
Anderson	Heflin
Baker	Howard
of Fort Bend	Hunt
Bell	Johnson of Tarrant
Boethel	Kersey
Boyd	Kinard
Bradbury	Leyendecker
Bradford	Loggins
Bray	London
Bridgers	McAlister
Brown	McDaniel
of Nacogdoches	McDonald
Bundy	McMurry
Burkett	McNamara
Burney	Montgomery
Cauthorn	Morris
Celaya	Nicholson
Cleveland	Pevehouse
Corry	Reader of Bexar
Crossley	Rhodes
Daniel	Riviere
Dickison	Robinson
Donaghey	Segrist
Felty	Shell
Fuchs	Smith of Frio
Gilmer	Smith
Gordon, Mrs.	of Matagorda
Hankamer	Stinson

Stoll	Voigt
Tarwater	Waggoner
Thornberry	Wilson
Thornton	Wood
Vale	

## Nays—57

Allison	Kern
Baker of Grayson	Kerr
Blankenship	Langdon
Boyer	Lehman
Broadfoot	Lock
Brown of Cherokee	Mays
Chambers	Mohrmann
Clark	Oliver
Coleman	Pace
Colson, Mrs.	Piner
Cornett	Pope
Davis of Upshur	Reader of Erath
Dean	Reed
Derden	Roach
Ferguson	Roberts
Fielden	Russell
Galbreath	Skiles
Goodman	Smith of Hopkins
Hale	Spencer
Hamilton	Talbert
Hardeman	Turner
Hardin	Vint
Harp	Weldon
Harrell of Lamar	Westbrook
Harris	White
Holland	Winfree
Howington	Worley
Johnson of Ellis	Wright
Kennedy	

## Absent

Bailey	Leonard
Bond	McFarland
Cockrell	Monkhouse
Davis of Jasper	Newell
Dickson	Petsch
Faulkner	Ragsdale
Hull	Taylor
Isaacks	Tennant
King	

## Absent—Excused

Colquitt	Little
Dowell	Reaves
Dwyer	Schuenemann
Harrell of Bastrop	Wells
Keith	

Question then recurring on the amendment by Mr. Kern, as substituted, it was adopted.

Question — Shall the committee amendment be adopted?

## ADJOURNMENT

Mr. Baker of Grayson moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

The motion prevailed by the following vote:

Yeas—76

Allen	Kennedy
Allison	Kerr
Anderson	King
Baker	Langdon
of Fort Bend	Lehman
Baker of Grayson	Leonard
Blankenship	Leyendecker
Boyer	Lock
Bradbury	Loggins
Bridgers	Mays
Broadfoot	McDaniel
Brown	McMurry
of Nacogdoches	Mohrmann
Bundy	Morris
Celaya	Newell
Clark	Nicholson
Cockrell	Oliver
Coleman	Pace
Cornett	Piner
Crossley	Reader of Bexar
Davis of Jasper	Reed
Davis of Upshur	Roach
Dean	Roberts
Dickson	Russell
Donaghey	Smith of Frio
Ferguson	Spencer
Fielden	Stoll
Galbreath	Talbert
Gilmer	Tarwater
Goodman	Tennant
Hale	Turner
Hardin	Vint
Harp	Waggoner
Harper	Weldon
Harrell of Lamar	Wells
Howard	Westbrook
Howington	White
Hunt	Worley
Johnson of Ellis	Wright

## Nays—47

Alsup	Hankamer
Bailey	Hardeman
Bell	Harris
Bond	Heflin
Boyd	Holland
Bray	Johnson of Tarrant
Brown of Cherokee	Kern
Burkett	Kersey
Burney	Kinard
Cauthorn	London
Chambers	McAlister
Cleveland	McDonald
Colson, Mrs.	McNamara
Corry	Reader of Erath
Derden	Riviere
Felty	Robinson
Fuchs	Segrist
Gordon, Mrs.	Shell
Hamilton	Skiles

Smith of Hopkins	Thornton
Smith	Vale
of Matagorda	Voigt
Stinson	Wilson
Thornberry	Wood

## Absent

Boethel	Monkhouse
Bradford	Montgomery
Daniel	Petsch
Dickson	Pevehouse
Faulkner	Pope
Hartzog	Ragsdale
Hull	Rhodes
Isaacks	Taylor
McFarland	Winfree

## Absent—Excused

Colquitt	Keith
Dowell	Little
Dwyer	Reaves
Harrell of Bastrop	Schuenemann

The House, accordingly, at 10:10 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolution, as follows:

Judicial Districts: Senate Bill No. 187.

Agriculture: Senate Bill No. 111.

Counties: House Bill No. 987.

Municipal and Private Corporations: Senate Bill No. 421.

Public Lands and Buildings: Senate Bill No. 434.

State Affairs: Senate Bill No. 437.

Liquor Traffic: House Simple Resolution No. 235.

Livestock and Stock Raising: House Bills Nos. 463 and 732; Senate Bill No. 394.

Public Health: House Bill No. 949.

The Committee on State Affairs filed an adverse report on Senate Concurrent Resolution No. 14.

REPORTS OF THE COMMITTEE  
ON ENGROSSED BILLS

Committee Room,

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 92, Urging the passage of S. 1305 which has been introduced in the Senate of the United States.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 72, A bill to be entitled "An Act amending Chapter 277, Acts of the Regular Session of the Forty-second Legislature, as heretofore amended, designating said Act as the 'Motor Carrier Act of Texas' and adding the Sections thereto contained in this Act, to be known as the 'Private Motor Carrier Act of Texas'; providing that said Motor Carrier Act shall not apply to a private carrier, as herein defined, except as specifically provided by this Act; defining a private carrier and stating the qualifications necessary to qualify as such; defining a fixed and established place of business; defining the term 'person'; defining the term 'Commission'; providing for certain exemptions from the terms of this Act; providing that the use of the highways by private carriers, as herein defined, shall not be regarded as the use of such highways for transporting property for compensation or hire; making it unlawful for a private carrier to operate without a permit, and that no such permit shall be issued until the applicant shall have in all things complied with the requirements of this Act; providing for a written application and the information to be contained therein; providing that it shall be the duty of the Railroad Commission to issue permits to private carriers in compliance with the terms of this Act and the rules and regulations of the Railroad Commission; giving the Railroad Commission authority to reject the application, if

not in compliance with said Act and its rules and regulations; providing for the payment of a filing fee and making it unnecessary for a private carrier to have more than one permit; providing for the placing in service of additional motor vehicles by private carriers and the payment of a fee to the Railroad Commission for the plates to be attached to such vehicles; giving the Railroad Commission authority to prescribe identification card which must be displayed within the cab of each motor vehicle operated by a private carrier; making it unlawful for a private carrier to operate vehicle unless there is displayed thereon identification plates issued by the Railroad Commission and making it the duty of the Railroad Commission to furnish such plates at a fee of Two Dollars for each pair; providing that it shall be necessary for private carriers to furnish insurance and bonds for the protection of the public; providing that each driver of a motor vehicle operated by a private carrier shall have a Chauffeur's License issued by the Department of Public Safety; and providing that such Chauffeur's License may be cancelled for cause after notice and hearing and that it shall be the duty of the Railroad Commission to cancel the private carrier's permit when notified that such vehicles are being operated by a driver without a Chauffeur's License; providing for the number of hours that a driver may lawfully drive or operate a vehicle; declaring that it is the intent of the Legislature that the use of the highways by the private carriers, herein defined, is not a use for hire, but is declared to be the use of the highways by the general public; requiring that interstate carriers comply with the terms of this Act; providing that the funds paid to the Commission under the terms of this Act shall be deposited in the State Treasury and credited to the Motor Carrier Fund of the Railroad Commission; giving the Railroad Commission the authority to appoint certain employees and fixing the compensation therefor; providing that the provisions of this Act shall not apply to the State or any political subdivision thereof; providing for the can-

cellation of a private carrier's permit by the Railroad Commission; providing for filing complaints, issuance of notices and hearings upon such complaints by the Railroad Commission; giving Railroad Commission authority to make rules and regulations for the enforcement of this Act; making it unlawful for a person to own more than one kind of permit or certificate at the same time; providing that private carrier's permit shall be transferable; vesting in the inspectors of the Motor Transportation Division of the Railroad Commission and the License and Weight Inspectors of the Department of Public Safety exclusive authority to make arrests for the violation of the penal provisions of the laws of this State regulating private carriers and carriers for hire; making it unlawful and providing a penalty for the operation of vehicles by private carriers without a private carrier's permit; making it unlawful and providing a penalty for the violation of any provision of the Act or the violation of any order, decision, rule or regulation of the Railroad Commission, and providing an additional civil penalty for such violations and placing the venue for the recovery of such civil penalties in any court of competent jurisdiction in Travis County, Texas, or in the county in which the violation occurs; and providing that District Courts of this State shall have jurisdiction to issue injunctions to prevent violation of this Act or of the rules and regulations of the Railroad Commission; making it unlawful for a private carrier to engage in the business of transporting the property of others for compensation of hire or the transportation of property without such carrier having a fixed or established place of business, or the transportation of property by a private carrier of goods of which he is not the owner shall be guilty of a misdemeanor and upon conviction assessed a fine not to exceed Two Hundred (\$200.00) Dollars; a savings clause; declaration of legislative intent, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 19, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 107, Requesting that the Governor return House Bill No. 380.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 19, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 90, Permitting E. L. Martin to bring suit against the Texas Highway Commission and the State of Texas.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 19, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 103, Designating Miss Jane Neal of the Gladewater High Band to extend greetings to the Governor of Pennsylvania and to the Lions Clubs of America.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 19, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 89, Granting permission to Tilford Moore to sue the State of Texas, and/or State Highway Department.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 257, A bill to be entitled "An Act making an appropriation for

the support and maintenance of the Judiciary of the State of Texas for the biennium beginning September 1, 1939, and ending August 31, 1941; requiring certain fees paid to clerks or officers of all Appellate Courts to be deposited monthly in the State Treasury; prescribing certain rules and restrictions respecting expenditures of appropriations made herein; suspending all laws in conflict herewith; declaring the invalidity of any portion of this Act shall not affect any other portion, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 256, A bill to be entitled "An Act making appropriations for the support, maintenance and improvement of the Eleemosynary and Reformatory Institutions of the State of Texas for the two-year period beginning September 1, 1939, and ending August 31, 1941, and prescribing certain regulations and restrictions in respect to the expenditure of said appropriations, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

## REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, April 19, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 104, Suspending the Joint Rules of the House and Senate so that the House can take up and consider House Bills No. 255, 926 and 933 on Wednesday and Thursday, April 19th and 20th, respectively.

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, April 19, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 657, "An Act amending Article 3902 of Revised Civil Statutes of 1925 and all amendments thereto by adding thereto a new Subsection to be known as Subsection 1-a; fixing compensation for assistants to the Tax Assessor and Collector and the County Clerk in certain counties; providing the manner in which same shall be paid, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 517, "An Act amending Senate Bill No. 514, Chapter 101, page 140 of the Special Laws of the Regular Session of the Forty-third Legislature, 1933, eliminating Hill, Johnson and Bosque Counties from the provisions of said Act; repealing all laws and parts of laws in conflict herewith and especially House Bill No. 60, Chapter 48, page 99, of the General and Special Laws of the Forty-third Leg-

islature, Third Called Session, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

Austin, Texas, April 18, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 909, "An Act to amend Article 1645a, Section 1, of the Revised Civil Statutes of Texas, as amended by Chapter 313, Acts of the Regular Session of the Forty-fifth Legislature, 1937, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HARP, Acting Chairman.

#### SENT TO THE GOVERNOR

April 19, 1939

House Bill No. 517.	
House Bill No. 657.	
House Bill No. 683.	
House Bill No. 894.	
House Bill No. 909.	
House Concurrent Resolution No. 95.	
House Concurrent Resolution No. 102.	
House Concurrent Resolution No. 104.	